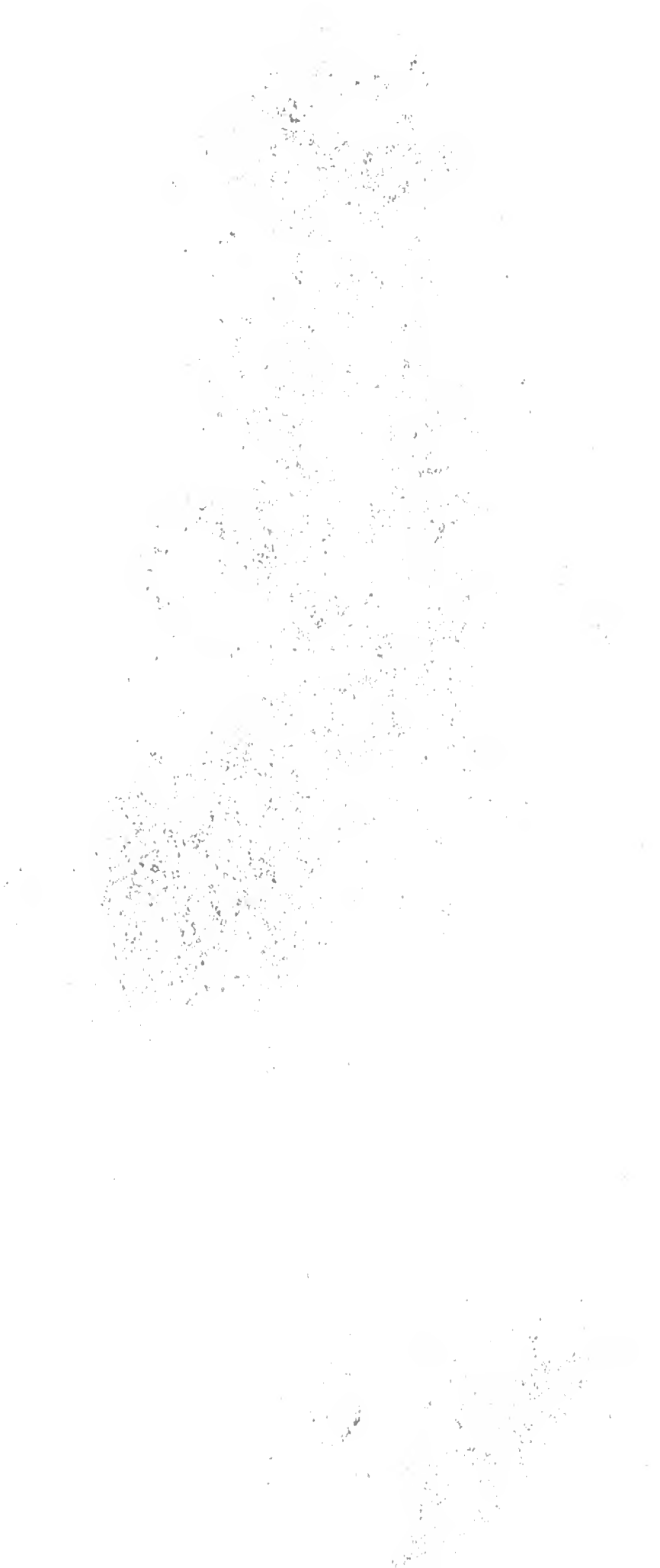

ANTON J. CERMAK

BAILIFF

The Municipal Court of Chicago

1912 - 1918

EIGHTH AND NINTH

Annual Reports

OF THE

Municipal Court of Chicago

For the Years December 1st, A. D. 1913
to December 5th, A. D. 1915, Inclusive

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HARRY OLSON

CHIEF JUSTICE

Municipal Court of Chicago

TABLE OF CONTENTS.

PAGE

Judiciary, Administrative and Executive Staff..... 5
Introduction 8
Psychopathic Laboratory 12
Boys' Court Branch 49
Adult Probation 56
Morals Court Branch 56
Domestic Relations Branch 59
Decisions of Supreme and Appellate Courts on Procedural Law.... 61

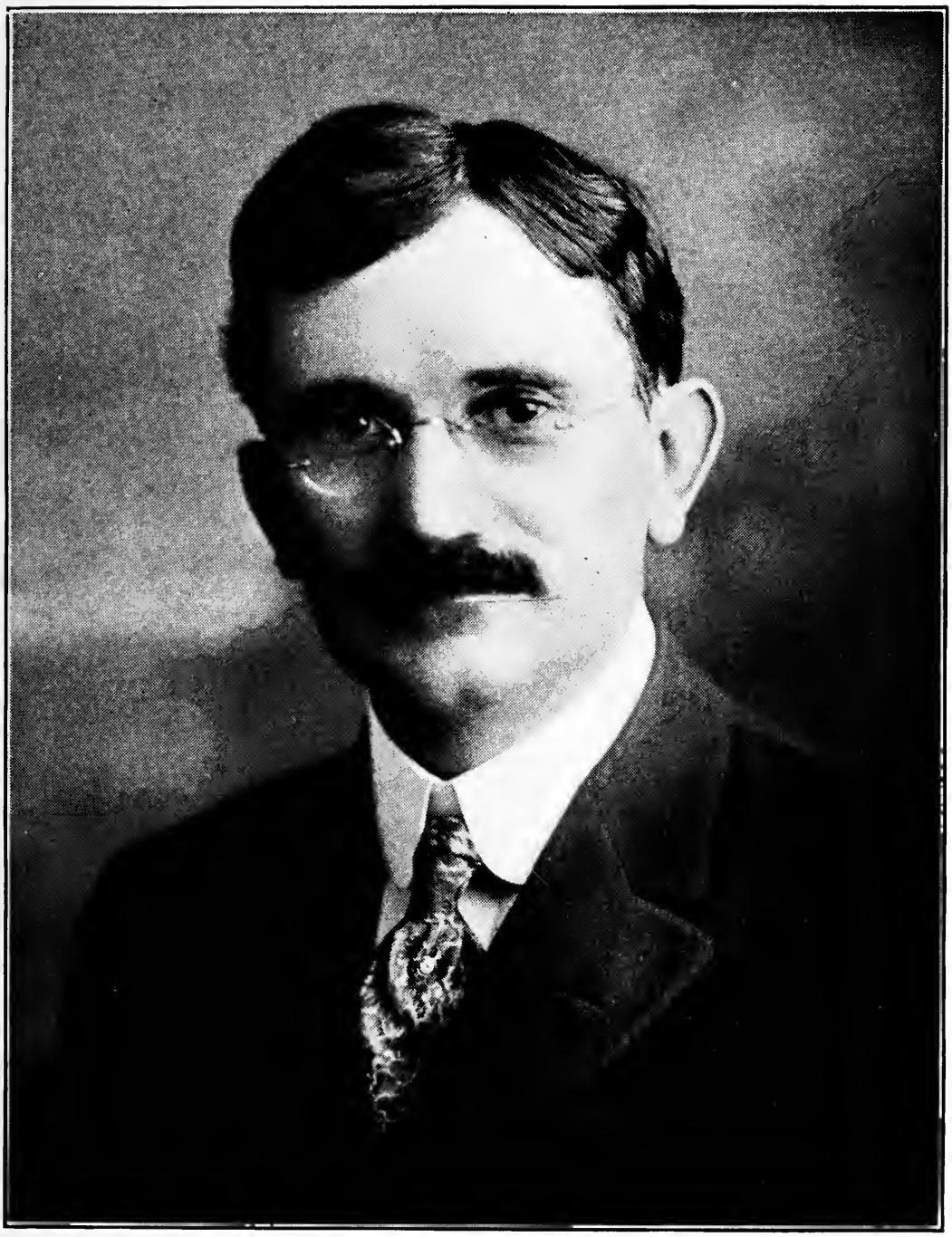
Work of the Civil Branches—
- First District 127
- Second District 127
- Small Claims Branch Court..... 128
- Summary and Comparison with former years..... 132
- Comparative statement of number of demands for jury trials.. 133
- Money judgments—comparison with former years..... 133
- Money judgments—comparison with other courts..... 133
- Summary and comparison of suits filed and disposed of in nine years 134
- Number of civil suits commenced—comparison with other courts 135
- Total receipts—comparison with other courts..... 135
- Disposition of civil suits..... 136
- Comparative statement of growth of work in the court and cost per case 137

Work of the Criminal Branches—
- Violations of city ordinances and bastardy cases disposed of by branch courts 138–139
- Felony, quasi-criminal and misdemeanor cases filed and disposed of 138–A
- Felonies, disposed of by branch courts..... 140
- Misdemeanors, disposed of by branch courts..... 142
- Releases by habeas corpus and pardon..... 144

TABLE OF CONTENTS—Continued.

PAGE

Bonds forfeited 144
Number of persons arrested in the City of Chicago..... 144
Grand Jury Docket and complaint cases..... 145
Amount of fines assessed 145
Amount of fines collected 145
Disposition of Misdemeanor, quasi-criminal and felony cases, percentages 146
Results of jury trials in criminal and quasi-criminal cases.... 147
Number of offenders punished by House of Correction and County Jail sentences 147
Classification of Offenses 147
Comparison of misdemeanors with previous years..... 148
Comparison of quasi-criminal cases with previous years..... 150
Work of the criminal branches compared..... 150
New suits filed and disposed of by judges.....150–A
New suits filed and disposed of by judges in 1915.....150–B
Resume of work of civil and criminal branches—comparison..... 151
Bailiff's office—statistics 152
Jurors 154
Auditor's report—financial statistics 155



FRANK P. DANISCH

CLERK

The Municipal Court of Chicago

1912 - 1918

JUDICIARY.

CHIEF JUSTICE: ..... **HARRY OLSON**

ASSOCIATE JUDGES:

TERMS EXPIRE 1916.	TERMS EXPIRE 1918.	TERMS EXPIRE 1920.
CAVERLY, JOHN R.	COURTNEY, JOHN	FRY, SHERIDAN E.
DOLAN, HARRY P.	FISHER, HARRY M.	GOODNOW, CHAS. N.
FLANAGAN, PATRICK B.	GEMMILL, WM. N.	GRAHAM, FRANK H.
HOPKINS, JACOB H.	KEARNS, HUGH J.	HEAP, ARNOLD
MARTIN, JAMES C.	LA BUY, JOSEPH S.	JARECKI, EDMUND K.
NEWCOMER, JOHN R.	MAHONEY, JOHN A.	RYAN, JOSEPH E.
ROONEY, JOHN J.	PRINDIVILLE, JOHN K.	STELK, JOHN
SABATH, JOSEPH	RAFFERTY, JOSEPH P.	SULLIVAN, DENNIS W.
WELLS, HOSEA W.	SULLIVAN, JOHN J.	TRUDE, SAMUEL H.
WILLIAMS, CHAS. A.	WADE, EDWARD T.	UHLIR, JOSEPH Z.

Judge Frederick L. Fake resigned May 1, 1914.

Judge Edmund K. Jarecki appointed by Gov. Dunne, May 4, 1914, to succeed Judge Fake.

Judge Thos. F. Scully, resigned Dec. 5, 1914.

Judge Wells elected, April, 1915, to succeed Judge Scully, Elected County Judge.

Judge Joseph E. Ryan died Dec. 9, 1915.

COUNTY AND CITY COURT JUDGES.

On account of the steadily increasing amount of business, it was found necessary to call upon the following County and City Court Judges to hold branches of the Municipal Court:

	DAYS 1914	1915
GEO. BEDFORD, of Grundy County	..	10
CHAS. H. BOWLES, Judge of City Court of Chicago Heights, Cook Co.	185	..
GEO. J. COWING, of Will County	33	74
F. J. CAMPBELL, of Jo Daviess County	..	27
A. J. GREY, of Carroll County	..	121
FREDERICK C. HILL, of DeWitt County	80	71
HARRY C. MORAN, Judge of City Court, Canton, Ill	54	45
PERRY L. PERSONS, Lake County	32	40
RUFUS F. ROBINSON, Henderson County	53	98
ROBERT H. SCOTT, Lee County	199	..
JOHN D. TURNBAUGH, Carroll County	51	..
D. H. WAMSLEY, Douglas County	..	35
JOHN C. WORK, Schuyler County	..	77

ADMINISTRATIVE STAFF.

The Municipal Court Act provides that the Chief Justice, in addition to the exercise of all the other powers of a judge of said court,

shall have the general superintendence of the business of the court. He is assisted by the following staff:

WALTER V. HAYT .....Executive Assistant
J. KENT GREENE..... ....Legal Assistant
ROY E. MILLER.....Assistant

EXECUTIVE STAFF.

FRANK P. DANISCH.....Clerk
ANTON J. CERMAK.....Bailiff

The present executive force consists of:

	1914	1915
Deputy Clerks	175	180
Deputy Bailiffs	151	152

Clerk's Office.—The office of the clerk of the court is divided into five departments, under the following department heads:

Chief Deputy Clerk.....**JOHN S. DERPA**
Assistant Chief Deputy Clerk,
Civil Department.....**ROBERT W. McKINLAY**
Assistant Chief Deputy Clerk,
Criminal Department.....**CHARLES H. KRIMBILL**

Bailiff's Office.—The heads of departments in the bailiff's office are as follows:

Chief Deputy Bailiff.....**GEORGE H. WOODS**
Assistant Chief Deputy Bailiff...**CHRISTIAN L. HAAS**

Sheriff of Cook County.—The sheriff of Cook County serves venires for jurors and levies executions on property outside the City of Chicago.

Department of Police.—The police officers of the city, being by law ex-officio deputy bailiffs of the court, perform the duties of bailiffs in practically all criminal and quasi-criminal cases.

COURT DISTRICTS

The city is, for convenience, divided into two districts. The First District comprises practically all that part of the city north of Seventy-first street and west of Cottage Grove avenue; the Second District comprises that part of the city south of Seventy-first street and east of Cottage Grove avenue.

First District.—In the First District are located nineteen branch civil courts on the 8th, 9th and 11th floors of the City Hall. In these civil branches, nine of the judges hear jury cases. Judges from other coun-

ties sit from time to time in the civil branches of the court, trying both jury and non-jury cases.

There are seventeen criminal branches of the court in the First District presided over by thirteen judges, located as follows:

Branch 27	625 S. Clark Street
Branch 28	120 N. Desplaines Street
Branch 31	942 Maxwell Street
Branch 36	6347 Wentworth Avenue
Branch 37	5233 Lake Avenue
Branch 30	1123 West Chicago Avenue
Branch 33	2138 N. California Avenue
Branch 29	113 West Chicago Avenue
Branch 32	2742 Sheffield Avenue
Branch 35	811 West 47th Place
Branch 34	740 W. Thirty-fifth Street
Branch 3, Quasi-Criminal Branch	806 City Hall
Branch 10, Domestic Relations Branch	902 City Hall
Branch 19, Criminal Court Branch	1108 City Hall
Branch 20, Morals Court Branch	1106 City Hall
Branch 24, Automobile Court Branch	1123 City Hall
Branch 8, Boys' Court Branch	906 City Hall

Second District.—In the Second District, one branch court disposes of both civil and criminal litigation in the district. It is located at No. 8855-7 Exchange Avenue, Branch 38. Jury trials are held in the Second District as necessity demands.

INTRODUCTION.

In the seventh annual report of the Municipal Court, comment was made on the great increase in the business of the court. In the eighth year of the court's existence there was a decided increase in the number of civil suits filed in the court, but in the ninth year there was a slight decrease in the number of civil suits filed. There has been an increase each year in the number of civil suits disposed of over the preceding year.

The total number of misdemeanor, felony and quasi-criminal cases filed during the eighth year increased over the preceding year, but decreased slightly during the ninth year. The total number of such cases disposed of during the eighth year likewise increased over the number disposed of during the preceding year, but decreased to a larger extent during the ninth year than the decrease in the number of such cases filed.

Since the publication of the last annual report, three significant steps have been taken by the Court:

First: The establishment of the Boys' Court, wherein charges against all boys from seventeen to twenty-one years of age are brought.

Second: The establishment of the Small Claims Court, in which are brought all cases involving suits for money in the sum of fifty dollars or less for the purpose of summary disposition.

Third: The establishment of the Psychopathic Laboratory, to which are referred by judges of the Boys', Morals, Domestic Relations and Criminal Branch Courts all defendants, and sometimes witnesses, who are suspected of being insane, feebleminded, or afflicted with other mental ailments. After the establishment of the Psychopathic Laboratory, and because of the information gathered therein in relation to the existence of feeblemindedness, and other mental afflictions, a group of individuals interested in the subject in Chicago, in conjunction with the State Board of Charities, presented to the Legislature requests for legislation for the care and commitment of the feebleminded under certain circumstances. The last Legislature passed a law covering this subject, which is perhaps, even though it can be much improved, the most advanced legislation on that subject in the United States.

A distinct trend of the decisions of the Supreme Court of Illinois presents interesting features in reference to the history and judicial

development of the Municipal Court. A decision of the Supreme Court, rendered shortly after the organization of the Municipal Court, held that the Municipal Court was without power to try felony cases on transfer of indictments from the Criminal Court of Cook County, where the indictments did not allege that the offenses were committed inside the limits of the City of Chicago. In view of later decisions the bench and bar are inclined to the belief that the Supreme Court would, if called on to pass on the question, hold that the Criminal Court is without power to transfer felony cases to the Municipal Court, thus restricting the jurisdiction of the latter court as to territory to the City of Chicago and as to subject-matter to misdemeanors.

Very shortly thereafter the Supreme Court held that civil suits involving claims to recover for personal injuries may be brought by passengers against their carriers in contract for unlimited amounts (the jurisdiction of the court being unlimited in amount on contract, but in non-contract being limited to $1,000). The holdings in these two cases would tend to make the court one especially designed for the disposition of civil causes expeditiously, reserving to the Criminal Court of Cook County the trial of felony causes.

Within less than a year thereafter (1908), when the Criminal Court was overloaded with cases, the County Jail was full of prisoners awaiting trial before the Criminal Court and prisoners were being discharged for want of prosecution within the time provided by law, the Supreme Court held that the Municipal Court had jurisdiction of cases punishable by fine or imprisonment otherwise than in the penitentiary.

In 1910 the Supreme Court held that petit larceny cases could not be prosecuted by information in the Municipal Court, because the conviction rendered the defendant infamous, which was a punishment in addition to fine and imprisonment. This decision had the effect of removing from the jurisdiction of the court the greatest part of its criminal jurisdiction, tending again toward making it essentially a civil court. Such remained the law until the legislature restored that criminal jurisdiction.

Another illustration of the early tendency to a broad exposition of the law, as compared with later restrictive decisions, is the fact that just one year after the court was established, the Supreme Court held that the Municipal Court might draw its jurors from any part of Cook County and was not confined to the City of Chicago.

In several early decisions of the Appellate Court (the inter-

mediate court between the Municipal and Supreme Courts), a distinction is drawn between cases taken from the Municipal Court and those from other courts, in that the Appellate Court expressly gave effect to the provision of the Municipal Court Act that no judgment shall be reversed unless the Supreme or Appellate Court shall be satisfied that such judgment is contrary to the law and evidence, or that such judgment resulted from substantial errors of said Municipal Court directly affecting matters at issue between the parties, the Appellate Court holding that the distinction between cases coming from the Circuit and the Municipal Courts in this respect "is marked and very important." (Railroad Co. v. Grassheim, 141 App., 80.) The provision, also, that there shall be no assignment of error in the upper courts on questions of practice unless it be necessary to grant relief to prevent a failure of justice, received favorable comment by the Appellate Court in early Municipal Court cases. The provision was added to do away, if possible, with the very large number of practice questions in the upper courts, it being estimated that about fifty-five per cent. of all the questions submitted to courts of review are questions purely of practice. But these provisions of the Act have not received comment from the Appellate Court in later decisions, nor have they ever received any comment whatever from the Supreme Court of the State. We are therefore led to the belief that there is no distinction in this respect between the Municipal Court and other courts of record in this respect.

It was held by the Supreme Court in the early history of the Municipal Court, that the latter had no written pleadings and that particularity need not be observed in such statements of claim as might be made, but a recent decision is more restrictive, applying nearly the same rule of pleading as that in vogue in the Circuit Court. The decisions of the Supreme Court sustaining oral instructions to juries (written instructions being required in all other courts of the State) and holding that oral instructions must be taken as one connected charge, and that particular parts thereof cannot be separated from others for criticism, were rendered early in the history of the Municipal Court, making the procedure in the Municipal Court much simpler, more progressive and less technical than that in the other courts.

The decision of the Supreme Court condemning the use of abbreviated forms in the Municipal Court (although, contrary to the fears of members of the Bar, it has had practically no effect on procedure), was one of the very first of the restrictive decisions rendered

by our court of last resort. Beginning shortly after the decision in the abbreviated forms cases, counsel have sought and obtained a number of decisions more and more restrictive in their character, all based on the constitutional provision that the procedure in courts of the same class or grade must be uniform.

The late decisions of the Supreme Court held void the provision of the Municipal Court Act that the courts of review shall take judicial notice of the rules of the Municipal Court and of ordinances of the City of Chicago. An important decision has been rendered by the Supreme Court touching upon the force and effect of judgments of the Municipal Court as liens on real estate. Several important questions relating thereto remain still undecided. Probably the most restrictive decision of recent date is that which declares void the provision of the Municipal Court Act that in cases involving $1,000, or less, no appeal shall lie, but that the cases can be removed to the upper courts only by writs of error sued out of such upper courts. The provision of the Municipal Court Act allowing a review by a writ of error only was intended to prevent appeals in cases involving trivial amounts. A defendant against whom a judgment involving $1,000, or less, had been rendered could not have his appeal as a matter of course, according to the wording of the Act, but could only obtain a review by going to the upper court and suing out a writ of error and obtaining a stay of execution from that court, the Municipal Court being permitted, however, to grant a temporary stay for ninety days, while the case was being prepared for the upper court. The decision declaring this provision void and allowing appeals in all cases permits any defendant against whom a judgment has been rendered, to take his case up on appeal by merely filing his bond, which stays the execution until the upper court disposes of the case. In order to get the upper court to dispose of the case, it is made necessary for the plaintiff to docket the case in the Appellate Court and pay the docket fee of $10.00, together with the cost of transcript of the record of the Municipal Court. The case then goes to the next term of the Appellate Court, there being only two terms (in March and October each year). This often causes a delay of six months in the most trivial cases.

It becomes apparent from these decisions, therefore, that in order to make effective certain improvements in procedural law it will be necessary to obtain enactments making such improvements binding on all courts of the State.

THE PSYCHOPATHIC LABORATORY.

There is a group of closely allied problems which in recent years have become more and more insistent. They are the problems of law enforcement, crime, punishment, reformation and the relation of defectiveness to delinquency. These problems are confined to no single country, but we have had reason to believe that in the United States the necessity for advancement is most pressing. Among a self-governing people the social status is a first consideration. Universal suffrage demands a quality of citizenship which is menaced by the slum. No free and democratic nation can stand half sound and half rotten. Civic health calls for a constant fight against delinquency and all the factors which contribute to it.

In the widespread and growing movement of recent years lawyers and judges, while assisting as individuals, have taken no official part. This has been due to the lack of organized responsibility on the part of courts. But when definite responsibility for the enforcement of penal laws is vested in an organized court there is a decided change. Judges must then study crime and penology in order that their court may discharge its essential function.

The Municipal Court of Chicago is charged directly with the trying and sentencing of all offenses against city ordinances and the so-called lesser, but more numerous, kinds of offenses against state laws. It also serves in sifting the facts through preliminary hearing of a great majority of the most serious offenses. This duty brings each year to the criminal branches of this court about 125,000 cases. The five thousand policemen of the city are officers of the court, empowered to serve its criminal process and constantly patrolling every part of the city on the lookout for delinquency of every kind.

The creation of special branch courts, segregating causes of like nature in such specialized courts as the Morals Court, the Court of Domestic Relations, the Boys' Court, and Criminal Branch Courts, served to bring the Municipal Court face to face with this tremendous responsibility.

During recent years the fragmentary statistics obtainable from the field have been distinctly disquieting. We have made in this country more experiments designed to reduce the volume of delinquency than have been made in any other country, but we have been unable to believe that we were even nearing the solution of this vital problem. All over the land there is skepticism and a sense of futility with respect to the way the law deals with delinquents. With

more machinery for convicting and punishing the law-breaker than ever before, we find the supply increasing in a rising curve. Everywhere there is a belief that something is amiss but there is little agreement as to the causes or the correct remedies. Judges are blamed for being too lenient by some observers, and, by others, for being too severe.

The thing which baffles us most is the tendency of delinquents to drift back to the jails so that the same names figure again and again in the police records, in the criminal courts, and at various penal and reform institutions. The reform school has been supplemented by the juvenile court and there has been sufficient experience to warrant conclusions, but no progress is noted in weeding out the repeater, or recidivist.

Problem of the Repeater.

It is evident that if there were no repeaters the amount of delinquency would be tremendously reduced. Most criminals make their first acquaintance with legal restraint before the age of twenty-one. Probably comparatively few commit their first offenses after the age of twenty-five, when maturity for normal persons may be assumed.

In view of the plainly observed tendency of the delinquent to become a chronic offender, we have endeavored more and more to shape court sentences so that the punishment would in some way prove to be corrective. The old idea that punishment is deterrent in proportion as it is severe is nearly obsolete. History shows that hanging did not prevent petit larceny. We have abandoned the policy of frightfulness in punishment and cannot revert to it even though it still has some few exponents.

The efforts to provide the right punishment have resulted in the establishment of various new types of prison and reformatory, with industrial education, and the fact that success has seemed as remote as ever has prompted such modern practices as probation and parole.

The result is that at the present time the judge in the criminal court has a greater range of possible sentences to choose from than ever before. This has not lessened his burden in the least. It has in fact, tremendously increased his responsibility and the difficulty of his position. Once he could hand out regulation sentences and satisfy his conscience. Under this regime the recidivist was not recognized as a problem. The chronic offender came before various judges and alternated between prison life and freedom under the

espionage of police. We have an instance of this blind enforcement of law in this state in an offender who has been sentenced two hundred times.

But today in this jurisdiction at least the judge may in formulating sentences, consider the essential character of the convicted person. He must understand as fully as may be the mental and physical abnormalities of the victim, he must estimate the relative importance of inherited characteristies and environment, and finally must make a guess as to how this almost inscrutable human complex is going to react to one or more of several possible treatments.

The delinquent is a menace to society chiefly, not because of his acts, his depredations, but because of himself. Punishment inevitably comes to be more a treatment of the individual offender than a routine treatment of a type of offense.

It is no longer an easy thing to be a judge and pass sentences. Once the only difficulty was to ascertain guilt. Punishment was largely automatic and routine. Now the greater difficulty of shaping a fit sentence quite overshadows the traditional responsibility of the judiciary.

The Defective Delinquent.

More and more as studies have been made of offenders, free from the bias of archaic dogmas, it has become clear that there is a close connection between mental and physical defectiveness and criminal conduct. More and more as we have recognized this connection we have wished that some means could be secured for revealing the innermost nature of the accused.

Concurrent with this need there has developed the science of abnormal psychology, supplementing physiology and neurology and throwing a flood of light where hitherto was only shadowy conjecture.

Emphasis needs to be placed on the point that psychology alone is sadly insufficient for this great purpose. Among the delinquents daily arraigned in the courts of a great city are many who are physically abnormal. There are drug victims, alcoholics, syphilitics, all the flotsam of disease confused with slum environment; there are persons in all the stages of neurosis and insanity. More defective minds are out of asylums than in. In no other place except the criminal court of first instance are so many of these defectives brought to a common ground and subjected to scrutiny. Dependent upon the means existing for this study and the use made of it hangs the entire problem of stemming the seemingly resistless tide of de-

linquency. The offender who is normal in mind and body reacts to punishment in such a way that the theory of deterrent effect is seen to be valid. Not so the defective. The victim of imperfect mental equipment, the slave of narcotic habit, the person poisoned by syphilis, does not react normally to punishment. The victim of an undiscovered, but progressive dementia is especially deceptive. All these classes of defectives require special treatment, depending first upon right diagnosis, and the problem of conquering or staying this social cancer depends upon restraints thrown around these defectives.

It was in accordance with reasoning of this sort that the Psychopathic Laboratory of the Municipal Court of Chicago was established May 1, 1914. Extreme care was exercised in selecting a director for the laboratory. Dr. William J. Hickson, an American doctor, surgeon, and neurologist, who had been trained in the psychopathic and neurological clinics of Bleuler in Zurich, Kraepelin in Munich and Ziehen in Berlin, was chosen.

Since the establishment of the Laboratory examinations have been made daily of a large number of persons accused of offenses. Of course only a small part of the total number passing through the criminal courts of Chicago are examined. Examination is not compulsory. It is only in rare cases that the least objection is raised by the offender. Ordinarily those offenders who show clearly in court that they are in some way abnormal, whether by their appearance, their speech, or by the nature of their offense, are sent to the Laboratory for examination.

This method of selection prevents any generalization as to the relative number of defectives. That there would be a considerable number from a population of two and a half millions, of whom 125,000 annually come to bar, is self-evident. No attempt is made by the Laboratory to formulate theories or to substantiate them. Every effort is directed to the pragmatic need for gauging the mental and physical condition of the individual. The work is largely one of diagnosis, and so far as may be practical, of prognosis.

Variety of Tests Employed.

No single method of examination is relied upon. The physical examination frequently yields convincing results. The reactions to neurological tests explain other cases. The tests of psychiatry disclose latent dementia of various kinds. The purely psychological tests reveal instances of feeblemindedness in varying degrees. The mingling of these kinds of defectiveness is common since the person of

low intelligence is more likely than the normal minded to fall a victim of alcohol and narcotics. Feeblemindedness is often found concurrent with dementia praecox and the disclosure of the exact nature of the complex calls for the highest degree of skill and experience on the part of the examiner.

Nor are these laboratory examinations alone relied upon. With the offender comes a history of the case—a statement of the offense committed, the circumstances accompanying the delinquency, and other data which throw light upon the environment as well as the characteristics of the individual. Further data and often confirmation of the result of the examination is revealed by a study of the heredity of the defective. Often this study extends to the parents and grandparents, the uncles, aunts, brothers and sisters of the accused.

Various misconceptions of the methods and functions of the Laboratory need consideration. It is sometimes alleged that the examiner can be successfully imposed upon by the delinquent. Nothing could be farther from the fact. In the German clinics a frequent class of cases consists of young men who try to pass themselves off as defective in order to escape military service. At least this was the case prior to the war. The students in these clinics become adept in unveiling fraud of this sort. In fact all psychopathologists are agreed that the danger from this source is exceedingly small and observation of the work in the Laboratory confirms this opinion.

A Serious Misconception.

It is also believed by some misinformed persons that the psychological tests are intended to measure normal intelligence. This is a most serious misconception. They are not intended to measure and rate normal intelligence, but to detect, and roughly rate, serious defects in the organ of intelligence. By tests standardized through application to thousands of normal children of various ages it is possible to detect feeblemindedness, the result of an organic lesion. In order to classify and rate the feebleminded it is convenient to refer their defectiveness to an arbitrary scale expressed in terms of age of the normal child. Feeblemindedness is more clearly denoted in the individual who has reached his teens. If he can reach the psychologic level of the child of six years, and no more, he is an imbecile. If he can reach a stage of the normal child between six and twelve years of age, he is classed as a moron, or debile.

It is the high grade moron, approximating in mental accomplishment the normal processes of eleven or twelve years of age, and the

borderland case which Dr. Hickson calls the sociopath, who is the great puzzle to sociologists. Apparently as capable, or nearly as capable, as the normal young man or young woman, these individuals are nevertheless practically static at the limited age of partial maturity. Usually he fails to pass the six or seventh grade in school. He is looked upon as stupid or naughty because the high grade moron is at the present time practically never understood by his teachers, his parents or his employers. At the point where he first reacts unfavorably to his environment, in failing to keep abreast of other pupils of like age, it is important to note the tremendous significance of environment.

Take the instance of such a moron who comes of good family with sufficient means for education. The defectiveness is often not expressed by any willful or delinquent acts. Such defectives, though barred from mental maturity by organic lesion, may possess docile natures. They may go all through life in a protected zone, their responsibilities lightened at every stage by the loving care of parents and relatives. In certain fields not calling for the exercise of judgment dependent upon obscure psychological complexes they may, and frequently do, develop such a degree of expertness as to enable them to acquire and retain that measure of self-respect which is necessary to a useful and happy life.

In some cases the most thoughtful care and protection fail, and these are most distressing cases. Despite all prevision some such defectives will transgress law so flagrantly as to bring themselves and their families into unpleasant publicity.

Where Environment Is Important.

Consider now the case of the moron not born under a lucky star. It takes but little imagination to picture the plight of the feeble-minded child born to poverty and a degrading environment. The trouble begins in school. At the age of thirteen or fourteen the child is two or three grades below normal and has acquired the reputation of being lazy, perverse, or stupid. A longer experience where failure and disgrace are certain is more than the unfortunate moron can endure, better anything else. So the parents consent to entry into industrial life for it seems a waste of money needed for other purposes to longer encourage study.

But the child who cannot keep in school with all the incentives to progress and all the leniency and encouragement now given, finds the discipline of employment still more difficult. There is no capacity

to concentrate, no efficient judgment, no sense of responsibility, no ambition to surmount obstacles.

Doubtful associations are quickly formed because normal social ties are forbidden to the mental weakling. He cannot contribute his share to any vigorous group and so gravitates to the level of the socially unenterprising.

Worst of all probably is the fact that there is no social expectation; the feeble-minded has failed repeatedly and is expected to fail. He becomes used to the disapproval of employers and parents and so is deprived of the most powerful and wholesome incentive to achievement that human nature can have.

It must be remembered that this ill-starred individual is likely to have the same appetites as the normal, to be driven by the same desires and demands. He is different mainly in his capacity for inhibition, for realizing the consequences of ill doing.

Defectives of this sort, forced at an early age to shift for themselves, may still worry along through life without serious consequences to society in an easy environment. But in the great city, with its spurs to appetite and its remorseless competition, the environment is the worst possible. The city cannot be made over to become a safe abode for the abnormal. Its development is in the interest of the strong and successful.

Diagnosis Is Imperative.

So long as the feeble-minded delinquent is not recognized as such when he has committed an offense every form of punishment is likely to be but one more step in the degradation which leads to hopeless criminality. This is the great truth which explains the frequent failure of the correctional institution. The institutions and methods which have been evolved for the discouragement of crime are practically all predicated on mental competence and responsibility; they are based on the former universal conception that every person not imbecile or insane will react uniformly to certain corrective influences.

Thus we come to understand that the well planned correctional institution which sends a competent boy out more fit to cope with the world merely serves to ingrain helplessness in the feeble-minded. And the sentence of probation is doomed to failure in the case of the defective, which has served to throw a cloud upon the entire probation scheme with its great potentialities.

The frequent alliance of feeble-mindedness and Dementia Praecox,

now fully established by the work of the Laboratory, proves that psychological methods alone are glaringly deficient in the work of the police or court laboratory. The feeble-minded needs assistance and nurture. The feeble-minded with Dementia Praecox may become a most dangerous person under like treatment. Owing to this fact emphasis must be placed upon the necessity for the aid of psychiatry in determining the status of the defective.

Physical Defects.

Some skeptics who place the psychopathic elements unduly high would be surprised to see the extent and variety of physical defectiveness presented to the courts daily. Offenders presented in the Domestic Relations court, for instance, may be found to have ample excuse for alleged laziness in serious heart lesions. Not infrequently offenders are found to be victims of Bright's disease to such an extent as to necessitate consideration of this fact in formulating a sentence.

The specialization of courts in a great city like Chicago results in bringing together a large number of those who have come in conflict with the law and who do not conform to normal standards. Here is brought together material for one of the largest psychopathic clinics in the world. The volume of business running through such a clinic requires fairly rapid diagnoses, as well as correct diagnoses. The psychological approach to mental diseases enables more rapid work than under the old clinical method of keeping the individual under observation, which is often only an admission that the physician does not know what is the matter.

The report of the director of our laboratory shows that a large number of offenders brought to trial in the specialized courts are suffering from mental diseases, chief of which, of course, is feeble-mindedness, followed in order by Dementia Praecox and feeble-mindedness with Dementia Praecox grafted upon it, what the Germans call *Pfropfhebephrenia.*

The tabulation of 2,700 cases which passed through Dr. Hickson's hands, illustrates the mental and physical status of a large number of those charged with crime. The Morals Court cases are the female equivalents of the Boys' Court cases, with certain minor differences. In the Domestic Relations Court Dr. Hickson found Dementia Praecox in some cases uncomplicated, but in the largest per cent of cases complicated with alcoholic delusions of infidelity and other paranoiac manifestations. Dr. Hickson's tabulation shows what an important role Dementia Praecox is playing in domestic disturbances.

Dementia Praecox Most Dangerous.

A purely feeble-minded child is not always a dangerous child. It must not be forgotten that in the feeble-minded group perhaps from ten to fifteen per cent. are so by reason of injuries to the brain at the time of birth or in early life. These are not so dangerous because their offspring would be normal. Such children have a sound inheritance, but the larger per cent. of this type have inherited the mental difficulty and, of course, since it is germinal, will reproduce it. A purely feeble-minded child is not hard to get along with when he is kindly treated and understood, but when such a child is afflicted with Dementia Praecox as well as feeble-mindedness we usually find a serious offender. Such an individual is usually charged with violent criminal assaults. The presence of Dementia Praecox as a criminal psychosis, both pure and associated with feeble-mindedness, has been one of the clear indications of the first year's work in the Laboratory. This affection is perhaps the commonest form of mental alienation, various estimates putting those afflicted with it in insane asylums at from fifty to sixty per cent. of the inmates. There are five recognized groups: Simplex, Hebephrenia, Paranoides, Paranoica and Katatonica. There is no doubt that there will be further differentiations made as the difference becomes better and more generally understood, and Dr. Hickson thinks we should soon be able to isolate a group out of the first two, which might well be called feeble-mindedness of the emotional, the affective side, perhaps based on defect of basal ganglia, in contrast to feebleminded-ness of the intellectual side, based on defective cortex. This Dementia Praecox group, especially the pfropfhebephrenia division, is of very great importance in criminology, coming next to feeble-mindedness.

The fundamental symptoms of dementia praecox are loss of affectivity, sudden character changes and splitting off of association processes. These individuals are sometimes called "shut-in" personalities. Their thinking is grotesque; they think in symbols. They are often charged with crimes of violence and assaults upon women.

What Shall be Done With Them.

After we shall have identified the defective classes brought to our courts, next and really the large question is: What shall be done with them? The pure feeble-minded can get along very well outside of institutions in a simple, protected environment. Those whose feeble-mindedness is complicated with Dementia Praecox are more dangerous and should be confined in farm colonies under proper supervision. This type usually composes the so-called defective delinquents, who make the

more or less serious disturbances in feeble-minded institutions. These types might be usefully employed in making roads in the State, in clearing land and work of that sort, but would need for winter quarters perhaps institutional care. At the present time the criminals who are such by reason of mental defect are sent to jail, houses of correction, state reformatories and the state penitentiary. When the prisons now in existence were designed psychology and psychiatry were not as far advanced as at the present time, and these prisons were designed without any of our present-day knowledge of the criminal classes. The result is that penitentiaries, reformatories and houses of correction are filled with various types of mental defectives, many of whom are not suspected of being such by the prison management.

The study of criminology and mental defectiveness can at present be pursued effectively in our prisons, and many of our state prisons have established psychopathic laboratories, notably Sing Sing in New York. As a result of the laboratory established in the Municipal Court of Chicago other laboratories have been established in some of the large cities of the country, notably in connection with the police department of the City of New York.

The Illinois Legislature, at the instance of the State Board of Charities and a group of interested people in Chicago, including the Judges of the Municipal Court, passed a new commitment law for the mental defective, in 1915. This legislation, while not perfect, is perhaps the most advanced legislation of the sort in the country. The legislative committees are now at work in Illinois preparing drafts for legislation that recognize the advances made in science during the past thirty years.

The report of Dr. William J. Hickson, Director of the Municipal Court Psychopathic Laboratory, which follows, covers the diagnosis of the mental status of the largest number of individuals charged with crime ever reported in this country, and its significance will be more and more appreciated as the conditions become better understood by our courts and by the medical profession.

The Mental "Finger Print."

There is printed with this report also a series of drawings as illustrating one of the minor tests used in the laboratory, to-wit, the visual memory test. This test consists of a geometrical scroll and a box. The person is permitted to look at the original drawing for ten seconds. He is told that he will then be asked to reproduce it from memory. This test has been used in connection with the Binet-Simon Scale in identifying

the feeble-minded. In the Municipal Court laboratory it was applied to all the mental groups that passed through it, and it was noticeable there that sufferers from Dementia Praecox drew the figure with finishing touches of their own, showing phantasy; that the chronic alcoholics drew the figure with a coarse, irregular ataxic tremor; the drug habitue, with a very fine line and tremor; and that all of these groups drew it defectively; that the person suffering from hysteria had still another drawing; that the feeble-minded had still another. In other words, the visual memory test on the Binet-Simon Scale has qualitative significance greater than has heretofore been accorded to it. Hence, we publish samples of these drawings. The casual reader can see at a glance that they almost amount to a mental fingerprint method of identification of types of mental trouble. Certainly, they are of genuine significance to the psychologist.

Three things stand out in the work of the past year and a half of the laboratory's existence:

(1) The prevalence of feeble-mindedness among those charged with crime.

(2) The high rule of Dementia Praecox as a criminal psychosis.

(3) The prevalence of a type which the Germans call Pfropfhebephrenia—Dementia Praecox with feeble-mindedness grafted upon it.

Scope of the Laboratory and the Training and Qualifications of Directing Experts.

A very great demand for experts in psychopathology has come upon the United States within the last two or three years suddenly, and we have not had time to develop a sufficient number to meet that demand. The result is that many workers of inferior training are engaged in this field. They disagree naturally on many fundamentals upon which there should be no disagreement.

In the annual report of one of the municipal courts of the country appears a two year report of the psychopathic laboratory of that court. The author of the laboratory report deprecates what he calls "snap-shot" methods of diagnosis, and insists on two or three hours' devotion to each case, and yet in this two year report the words "Dementia Praecox" are not found in print, despite the fact that this psychosis is found in significant percentages in the criminal courts.

A writer in the Journal of American Medicine for June, 1916, page 405, states that of the fourteen thousand insane in Illinois, sixty per cent. are Dementia Praecox patients, and that one hundred and

twenty thousand patients are in custody of the several States, and are maintained at a cost of not less than thirty-six million dollars a year. Of course, a large percentage of these were undetected long before they were committed to institutions, and many must have had court experiences.

Numerous inquiries are constantly made in regard to the training and qualifications necessary for experts who are to direct the work in connection with court psychopathic laboratories in the large cities of the country. It seems advisable, therefore, to consider the subject in this report.

Dr. Hickson, before the Conference of Charities and the American Association for the Study of Feeble-mindedness and Crime, at Indianapolis, Indiana, May 11, 1916, said:

"The scope of the Laboratory and the training and qualifications of experts may be generally discussed together. The Laboratory's activities may be subsumed under two principal heads, namely, practical and research. Since a laboratory like that connected with the Municipal Court of Chicago is one of the largest clinics of abnormal psychology and sociopathology, there is the material existing there already conveniently separated by the specialization of the courts, offering one of the richest fields of research along these lines possible for the student of law, medicine, sociology, etc. The practical workings of the Laboratory includes diagnosis, both mental and physical, with reports on the cases sent to it by the various judges. The medical examinations are both clinical and laboratory as the case demands. The mental tests used more or less routinely in the Laboratory in addition to the well-known general test familiar to medicine are those developed and used in the psychiatric clinics at Berlin, Giessen, Zurich, Munich, etc. These are the Binet-Simon; Rossalino, psychological profile method; the graduated, free and controlled association tests; the A-S tests, (Analysis-Syntheses series such as the similarity tests, etc.). All the foregoing are evaluated both quantitatively as well as qualitatively.

In addition to the above we have more or less recourse to such tests as the DeSanctis and others, some of which, while not standardized absolutely, yet allow of relative standardization and qualitative application. There is also the world test which we try to evaluate in all our cases, the most adamant test of them all, an assaying crucible of highest value, which consists of the evaluation of the reactions of our cases to their environment, a checking up of their capability of adjustment, their failures and successes at home, in school, at work, etc.

The world test is best appreciated if we follow the career, or in other words, the reactions of the individual to his environment from earliest childhood on. Infancy, childhood, and school records should be carefully preserved; especially Juvenile Court records which are invaluable showing, as they do, the make-up of the individual that even in these early, tender years brings them into conflict with environment, with the law. Even the indeterminists would not insist his criminal properties are positive, but that it is an instance of criminal properties of a passive nature, a strenuous game of battledore and shuttlecock, the individuality and environment and if the shuttlecock is unbalanced the game is going to suffer; for the environment as it is now, is adjusted for practically normal or well-balanced shuttlecocks and allows of very little adjustment to overcome the other's defect; for in these tender, unformed years of passive free interaction of individual and environment before deliberate criminality or depravity can be maintained even by the group who assume in general this attitude and base their treatment of the situation as a result in punishment. Such records would be of the greatest assistance in the understanding of the case and should not be destroyed for fear that they would be used against the boy or girl if they commit crimes later on in life which attitude grows out of a mind still harboring such *passe* ideas as positive depravity, retribution and the like in respect to these cases rather than the one of recognizing that we are dealing here in the majority of cases with weaker brothers and sisters, who should never be approached with the idea that they are deliberate criminals, but as weak and helpless and needing our best assistance and care, and that these early records of conflict with environment in these early passive years is one of the greatest proofs of their inherent mental defectiveness, and anyone who has worked in the psychiatric clinics in Germany in studying the delinquents knows what a helpful role such records play, never with the faintest idea or suspicion of injuring the case, but as one of the greatest helps to understanding him.

Importance of Records.

Of course, it is needless to say, such Court and other records should only be available to properly authorized individuals. We see this same attitude in the families of many of the cases where we undertake to search for delinquency, defectiveness, insanity and the like in the family history, in which in spite of the most pronounced and wide-spread defectiveness throughout the family, they deny and prevent the truth to the last degree, fearing in their ignorance it is going to prejudice

the case and failing to see that it is of the greatest advantage to him. As we recognize in the development of the individual certain critical physiological and psychological periods, so also can we recognize what might be termed socio-economic critical periods. While these various periods do not always overlap each other, yet they approximate each other. One of the most important of the socio-economic periods is that occurring in the early teens when the average boy and often girl is expected to become self-supporting, to pull their own weight in the boat, to maintain themselves, to have responsibility thrust upon them, this is the acid test, a most practical and objective test, and this test only confirms the finding of our other tests and predictions.

We regret that the general nature of this Report and lack of space excludes a description and discussion of the various tests used in the Laboratory, many of which we feel should be better known in this country. The tests used, however, have either been absolutely or relatively standardized and are reliable. We have undertaken no exploitation in this line nor encumbered the work with any of the many tests turned out where any kind of practical standardization is absolutely impossible or of those where the underlying principles are faulty nor any of the spectacular tests, *le bluff scientifique,* for the benefit of the curious visitor. We have attempted to keep the Laboratory as free from apparatus and having the appearance of a laboratory as possible, in order to avoid any untoward influence such apparatus may have on the case to be examined, either of a frightening or a distracting nature. We have tried to avoid an error we have noticed quite commonly in this field with the unexperienced and which has been at the bottom of much misunderstanding, namely, the confusing of the situation by accumulating unessential data, and while it is better perhaps to err, if at all, on the latter side, yet the properly trained man will be able to isolate very closely the essential from the unessential to the great saving of time, energy and money and also affording a clearer insight into conditions rather than obscuring them.

In discussing the qualifications of the psychopathic expert for Court work, the tremendous responsibility placed upon him will call for very exceptional training and must constantly be borne in mind. On the one hand, he will have to see justice done to the individual; while on the other, see to it that the interests of society are safeguarded. Such grave responsibility makes big demands and calls for the highest degree of expertness in the several fields of work on the incumbent. Such expertness and versatility as is found in Doctors

Ziehen, Bleuler, Sommer, Kraepelin, and others, Directors of the clinics in Berlin, Zurich, Giessen, Munich, etc., respectively.

Training That Is Essential.

In view of the variety of demands to be made upon such a director and the potency of his decisions we would demand the following minimum requirements, which exposition will afford at the same time some insight as to the scope of the activities of such a laboratory. He must be a physician with at least five years experience in the general practice of medicine and all that implies such as clinical, laboratory and hospital experience, etc. He must be an expert neurologist, having served a sufficient time in a neurological clinic. He must be an expert in psychology through post-graduate study and specialization, both normal and abnormal (psychiatry). He must have served at least six months in an Institution for the Insane and six months in an Institution for the Feeble-minded. He must have a knowledge of sociology, and a course in Criminal Law and Procedure will be of immense help in many ways, including the ability to prepare a case and act as an expert witness in the Courts.

He must have had at least five years experience in the general practice of medicine, because he will be constantly called upon to diagnose and prognose disease and injuries in almost all their forms. He will have much to do with the traumatic neuroses and psychoses. Husbands and fathers from the Domestic Relations Court who are charged with non-support or contributing to the dependency of children, will claim they have this or that ailment or injury and cannot work to support their families; sometimes they are telling the truth, more often they are not, and it is the duty of the Director to make a correct diagnosis and estimate the degree of incapacity where it exists. On the other hand, we have had cases haled into Court by some Agencies demanding that the case in question be given the limit of punishment as being hopelessly lazy, only to find after examination that the case was suffering from an exhausting Diabetes, beginning Locomotor Ataxia or Tuberculosis, where even the smallest exertion cost them all of what little energy they had, or else they were feeble-minded or insane. He must be able to detect simulation and dissimulation of mental, neurological and physical disease and injuries. We see enough of both, the former in the above mentioned cases; the latter where the individual suspects there is something wrong with him mentally, and he tries to dissimulate to evade the consequences.

In obstetrics he will often have to decide on such cases as the fol-

lowing: a woman was receiving support from her husband and came into Court with a lawyer with the demand that her allowance be increased as she was pregnant and so diagnosed elsewhere; the examination disclosed the fact that it was a case of pseudocyesis (spurious pregnancy). In another instance a girl sued a man as the father of her illegitimate child; measurements taken of the child and checked up with the appropriate dates disclosed the fact that he could not have been the father. At the end of this report to the Judge the girl admitted she had sworn falsely and had selected this particular man as he was better off financially than the rightful father of the child.

Varied Demands Are Made.

He must have a thorough knowledge of venereal diseases, as his diagnostic skill along this line will be constantly put to the test, especially in the Domestic Relations and Morals Courts. This work of the Court often helps the family physician out of an unpleasant predicament when he is asked for a medical certificate. He will be constantly called upon to suggest appropriate treatment for cases coming under his notice, as well as render first aid in the cases of sudden illness that occur where thousands of people gather daily, mostly under trying circumstances as in the Municipal Court. He will be called upon to examine jurors, witnesses, etc., who try to escape service on the ground of some disability or illness or as to their mental responsibility. He will be called upon at times to act as medical referee, not only in damage suits, but also where two opposing counsel will not accept the statement of each other's physician, many times merely as a pretext for delay, or with some other ulterior motive; with a medical referee at the command of the Judge such subterfuges to evade the law will be eliminated and justice expedited.

The physician gains, through the long and honorable record of the medical profession and that theirs is always a mission tempered with mercy, the confidence of the case, as well as the ability through his experience in handling cases to get *en rapport* and to get at the data, etc., of the family and personal history of the case that is often to the latter's advantage, but which in his general attitude of suspicion when involved in Court proceedings he would otherwise conceal. It will make him familiar with the effect of acute and chronic diseases on the psyche of his cases, and this will, if he is psychologically inclined, afford him much insight into the human mind when observed under these varying conditions. There is no better place than in the study and practice of medicine to develop the necessary scientific attitude of mind which is indispensable in this field of work.

The experience gained in the taking of case histories, both family and personal, will be of the greatest assistance to him in his Court work. It will enable him to evaluate points and direct the inquiry into essential channels, as well as read in the case and any other relations that may come under his observation, hereditary constitutional characteristics quite unknown to the man without this training, as some of the recent books on heredity so well attest where such training and experience were lacking. It familiarizes him with what is essential and what not essential under the stigmata of degeneration.

The above enumerated duties of a purely medical nature do not exhaust by any means the possibilities of service to the Court of the well-trained medical man which we are able to see from our position, and which will only be a matter of natural development, both on the side of the legal as well as the medical profession.

He must have served in a large city medical clinic, not only to familiarize himself with the individuality and mentality of the more unfortunate classes as well as his more fortunate private practice cases, but it will give him the best kind of much desired sociological experience by direct contact of the most intimate sort; also as visiting or City Physician he will visit them in their homes. Such experience also familiarizes him with the higher grade degrees of feeble-mindedness and light insanities that are unknown to those only experienced in Institution work.

He must be a trained neurologist through post-graduate study and service in a neurological or court clinic or laboratory; in this way he will become familiar with the large and important groups of high-grade feeble-minded and light grades of insanity which at present do not get into Institutions for the Feeble-minded and Insane to any extent, and are, therefore, practically an unknown quantity to those having been trained exclusively in such institutions, for this is the specialty with psychiatry beyond all others, such for instance as surgery, eye diseases, nose and throat diseases, etc., (in spite of the fact that so many of our feeble-minded cases have had vision corrected, tonsils removed, etc., in the belief that the feeble-mindedness would thus be cured) overlooking the crucial constitutional heredity fact that both conditions in the vast majority of cases have a common basis that is of the utmost importance in the Courts. The central nervous system is at the bottom of all our thinking and doing, and when it is disordered, so also must be the thinking and doing, and that is what brings people into the Courts. The neurological and psychiatrical are the two big fields in which simulation is most often attempted. He must be able to recognize the so-called

functional neuroses and psycho-neuroses, as well as the organic nervous diseases. The finding of outspoken organic brain lesions in a high percentage of the feeble-minded cases as reported by us in the paper entitled "Organic Brain Lesions in Mental Defectives," delivered before the Alienists and Neurologists' Annual Meeting, July, 1914, is full of the utmost significance. The lighter grades also should be evaluated. We have had a case come into Court, for instance, diagnosed as Locomotor Ataxia, which in reality was a case of Polyneuritis Alcoholica; another, for instance, with the symptom complex know as Astasia-abasia which had been diagnosed as Rheumatic-neuritis, etc.

He must be an expert psychiatrist, not only in the clinical, but in the more modern, positive psychological method of diagnosis which has been brought up to a very high state of perfection by such men as Ziehen, Bonhoeffer, Bleuler, Sommer, Kraepelin, and others in their respective clinics, also by the excellent studies of Raymond and Janet. By this method the tests are taken to the case the same as the Binet-Simon and similar tests are taken to the feeble-minded, with all its advantages over the former purely passive or clinical method, and it is doing for the advancement of the study of insanity what the Binet-Simon tests have done in the study of the feeble-minded. It affords the most rapid and surest way of getting at the diagnosis and the stadium of mental diseases, especially in the early stages where it is most important from a curative and forensic standpoint, and not be forced to wait upon a clinical diagnosis when the condition is so far advanced that physical manifestations are present, such for instance, as alterations in pupillary and other reflexes, vaso-motor system in addition to marked and outspoken character changes, etc., as then the opportunity for anticipating much of the environmental conflicts and their injurious reactions is lost; and while we assume that there can be no psychosis without neurosis and no pathopsychoses without pathoneuroses, that anatomical changes are always at the bottom of functional changes, yet the clinical methods at the present time do not allow us to recognize the early finer physical alterations as early as the functional. To approach mental diseases from the mental side is also the most logical method. Furthermore, in the vast majority of cases, in a laboratory such as ours, it is the only method which will permit of a rapid and sure diagnosis where the time at our disposal is limited to minutes while the Judge waits on the diagnosis in order to dispose of the case. The presence of a well-trained physician at the command of the Court at all times not only makes for justice where medical testimony is involved, but also expedites it in many instances where a

case would otherwise have to be continued to a future date until the parties concerned could bring in a medical certificate when much of the same ground would have to be covered again as in the first instance, whereas with a physician attache in the Court the matter can, in the vast majority of cases, be settled in a few moments. It is also of advantage to those unable to pay a physician, thus putting the rich and poor on an equal footing, and the family physician appreciates it as it relieves him of the embarrassment of not having to oblige a patient who often expects a certificate favorable to his side regardless of the true facts. By having such a diagnosis at hand it also relieves the minds of the Judges and jury as to the true mental and physical status of the case. In fact it offers one solution to the vexatious medical expert problem.

Detecting Minute Differences.

He must have served at least six months in an Institution for the Insane, this having been supplemented by service in a large neurological and psychiatrical clinic or Court Psychopathic Laboratory, in order to become familiar with the light and borderland eases of insanity which do not get into Insane Institutions at present in the early stages, and which are practically unknown to the man whose training has been exclusively in Insane Institutions. It would be an advantage if his service was in an Institution where cases from all walks of life were interned, as for instance, in Germany, where most hospitals maintain first, second and third-class departments; for in the early stages there is quite a difference, external, however, and not fundamental, in their reactions, which often leads to confusion in the diagnosis in the inexperienced. There is, as a rule, quite a difference in the duration and progress of the disease, between, for instance, an ordinary laborer and the man of affairs. An extrinsic difference is often present in the early stages of the various diseases in the manner of reaction between the sexes. We were thus able in two instances to detect girls masquerading as boys. Somewhat similar differences are found among the inmates of Feeble-minded Institutions where the higher grade cases who have received highly specialized training will present a different picture to the superficial observer than the case without such training; however, in Institutions there is a rapid equalization and this outward polish is soon lost. In the terminal stages of mental diseases the levelling process is also manifest. This relationship or richness of mentality and its reactions in the psychoses is too often overlooked with consequent confusion.

He must have served at least six months in an Institution for

the Feeble-minded as well as have supplemented this by experience in a large neurological and psychiatrical clinic or Court Psychopathic Laboratory in order to become familiar with the higher grade cases unknown to the average Institutional man without this experience, as the average cases getting into our Feeble-minded Institutions at present are quite low-grade, having manifested their mental arrest quite early. We see these higher grade cases also overlooked quite often by those working with Juvenile Delinquents who are not able to recognize feeble-mindedness qualitatively, and whose diagnostic ability is limited to the quantitative side of the Binet-Simon tests and the like, where, for instance, a case aged eight or nine years will test eight or nine years on the test used and will be declared to be normal, but where the mental arrest comes later; a large amount of feeblemindedness has been overlooked in this way. Another grave source of error of many of these investigators whose diagnostic horizon is limited to the Binet Scale in diagnostic cases of Dementia Praecox, Drug Habitues, Alcoholics, Adult and Juvenile Paresis, etc., as Feeble-minded, as well as overlooking some of the higher grade feeble-minded who test over 12 on the Binet-Simon Scale; in fact, the figure 12 as the upper limit of mental defectiveness has assumed with some of these investigators cryptic, if not cabalistic significance. We have seen some very egregious errors committed in these groups.

He must be thoroughly trained in normal and abnormal psychology both theoretically and practically.

It will be seen from the above summary that the activities of such a laboratory and the demands made upon the Director are manifold, but fortunately not so divergent from one another as to result in the obtaining versatility at the cost of concentration which is synonymous with specialization or efficiency in any particular work. Neurology and psychiatry are intimately related, both being based on the reactions of the nervous system and daily becoming more so as the underlying changes in the anatomy of the nervous system that accompany functional changes are being brought to light; all neurologists should be psychiatrists, and most psychiatrists are neurologists. At least five years experience in the general practice of medicine as an introduction to specialization in nervous and mental diseases obtains practically generally, and we thus find a homogeneous training of a man to this point;

all that is lacking is work in medical psychology which the medical schools will soon have to provide for, either as a separate subject or in conjunction with the teaching of psychiatry along modern lines. There is no better school than the general practice of medicine for the study of behavior psychology as well as sociology. There is no substitute for the training outlined above as far as the Director of a Court Psychopathic Laboratory is concerned, even where assistants might be employed such a trained man is necessary in correlating and properly evaluating the various findings in preparing the report for the Court. There are numerous other objections to the method of having different examiners in the different subjects. The cases themselves object to such an extensive farming-out process as this would imply; then there is the element of time and expense such a method would involve, there would be more or less duplication of work as well as lack of unity and direction.

Staff That Is Needed.

The above demands in regard to the requirements of a Director for such a laboratory may seem to some rather exacting, but when the nature of the work, and its relation to the future and even lives of many of our fellows on the one hand, and the protection of society on the other, and its influence on the various fields of scientific investigation involved; to demand less it seems to us would be criminal.

The personnel of the laboratory will be governed largely by circumstances such as financial conditions, number of cases referred to it, etc., but a court of any pretentions should have in addition to a director, sufficient competent assistants to take care of the preliminary work, such as some of the psychological tests, family and case history, etc., a field worker and a secretary-stenographer who can look after the office routine and get out reports on cases for the Judges, etc.

As will be seen from the foregoing, the work of the laboratory divides itself into two main divisions, both of importance, namely, the daily routine where the Judge desires information or the opinion of a neutral referee to determine the diagnosis and prognosis of this or that physical or mental disease especially in regard to causal relationship to crime, the impairment of earning capacity, simulation and dissimulation, examination of witnesses, etc., in fact embracing activities all the

way from clinical and laboratory medicine to normal and abnormal psychology. The other main division of the work, as we have seen, embraces research in medicine, with especial emphasis on neurology and psychiatry in its bearing on the causation of crime and methods for treatment, statistical studies and what is of very great importance, the further development of psychopathology, especially in its relation to delinquency.

The nature of such a report as this precludes anything like an extended treatment of the various activities of a psychopathic laboratory or of its findings in the relations to the questions involved in their bearing on the problems of criminology, and we have had, therefore, to content ourselves in the preceding and following pages to merely outlining the drift of things and to let the statistics in the following pages speak for themselves. The literature in the fields of Heredity, Eugenics, Normal and Abnormal Psychology tests, neurology, anthropology and anthropometric being enhanced apace and those interested will find many of the topics herein outlined more or less treated in extenso.''

SUMMARY OF FINDINGS, BY DR. WILLIAM J. HICKSON, DIRECTOR OF THE MUNICIPAL COURT PSYCHOPATHIC LABORATORY.

BOYS' COURT.

Cases from the Boys' Court from May 1, 1914, to Dec. 6, 1915.

Average Intelligence.

In this group of 126 cases the

Average chronological age was.....18.95
Average basal age was.....10.6
Average total mental age was.....12.6

Out of this group 12 cases we have no arrest record on.

Out of the group 114 cases the average per cent of

Arrests in the Boys' Court was.....1.6
Arrests in other courts was..... .35
Arrests in the Juvenile Court was..... .17

to a group.

Out of this group 29 boys or 25.4% have had 40 arrests in other courts or 1.4 arrests to a boy; 16 boys or 14% have had 20 arrests in the Juvenile Court or 1.25 arrests to a boy.

Out of the total group of 126 cases there were

31 Dementia Praecox
5 Alcoholics
1 Dementia Praecox plus Drug
1 Drug plus Psychopathic constitution
1 Dementia Praecox plus Moral Defect
2 Psychopathic constitution
1 Hysteria
2 Homosexual
1 Moral Pervert
7 Moral Defects
2 Effeminate
1 Drug habitue
3 had been in St. Charles

Out of this group of 126 Average Intelligence cases 24.6% have Dementia Praecox without other complications; 1.6% have Dementia Praecox with complications, giving a total of 26.2% with Dementia Praecox.

School Record.

	No. of cases	Average chronological age	Basal age	Total mental age	Age began school	Age stopped school	Grade
Average Intelligence	109	18.95	10.6	12.58	6.2	14.84	8.04

High Grade Borderland Sociopath.

In a group of 141 cases the

Average chronological age was.....18.8
Average basal age was.....10.15
Average total mental age was.....12.26

Out of this group we have no arrests on 10 cases.

Out of the group of 131 cases the average per cent of

Arrests in the Boys' Court was.....1.42
Arrests in other courts was..... .56
Arrests in the Juvenile Court was..... .34

to a group.

Out of this group 43 boys or 32.8% have had 73 arrests in other courts or 1.7 arrests to a boy; 33 boys or 25.2% have had 44 arrests in the Juvenile Court or 1.33 arrests to a boy.

Out of this group of 141 cases there were

24 Dementia Praecox
1 Dementia Praecox case with a serious active tuberculosis
3 Drugs
2 Psychopathic constitution
5 Alcoholics
8 Moral Defects
1 Alcoholic plus drugs
2 Alcoholics plus Dementia Praecox
1 Dementia Praecox plus moral defect
1 Moral Pervert
1 Effeminate
9 Had been in Homes
5 Had been in the John Worthy School

Out of this group of 141 High-grade Borderland Sociopath cases 17% have Dementia Praecox without complications; 2.8% have Dementia Praecox, with complications, giving a total of 19.8% with Dementia Praecox.

School Record.

High Grade Borderland Sociopath.

No. of cases	Average chronological age	Basal age	Total mental age	Age began school	Age stopped school	Grade
122	18.7	10.14	12.2	6.19	14.7	7.57

High, Middle and Low Grade Sociopath.

In these groups of 117 cases the

Average chronological age was.....18.65
Average basal age was..... 9.75
Average total mental age was.....12.03

Out of this group we have no arrest record on 8 cases.

Out of these groups of 109 cases the average per cent of

Arrests in the Boys' Court was.....1.77
Arrests in other courts was..... .51
Arrests in the Juvenile Court was..... .27

to a group.

Out of these groups 38 boys or 34.8% have had 56 arrests in other courts or 1.428 arrests to a boy; 24 boys or 22% have had 37 arrests in the Juvenile Court of 1.46 arrests to a boy.

Out of these groups of 117 cases there were

16 Dementia Praecox
1 Dementia Praecox plus Drugs
1 Dementia Praecox plus Alcohol
5 Alcoholics
1 Simulator
1 Moral Defect
1 Effeminate
6 had been in the John Worthy School
6 had been in Homes

Out of these groups of 117 High, Middle and Low-grade Sociopath cases 13.68% have Dementia Praecox without other complications; 1.7% have Dementia Praecox with complications, giving a total of 15.38% with Dementia Praecox.

School Record.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
103	18.4	9.8	12.0	6.1	14.3	7.08

High Grade Moron.

In this group of 728 cases the

Average chronological age was.....18.47
Average basal age was..... 8.72
Average total mental age was.....11.11

Out of this group we have no arrest records on 53 cases.

In the group of 675 cases the average per cent of

Arrests in the Boys' Court was.....1.6
Arrests in other courts was..... .57
Arrests in the Juvenile Court was..... .42

to a group

Out of this group 221 boys or 32.7% have had 391 arrests in other courts or 1.77 arrests to a boy; 170 boys or 25% have had 284 arrests in the Juvenile Court or 1.67 arrests to a boy.

Out of the total group of 728 cases there were

100 Dementia Praecox
21 Alcoholics
5 Dementia Praecox plus alcohol
1 Drug plus Dementia Praecox
7 Drugs
1 Dementia Praecox plus Moral Defect
1 Psychopathic constitution
5 Epilepsy
2 Moral Defects
25 had been in the John Worthy School
3 had been in Pontiac
35 had been in St. Charles
1 had been in Dunning for a year

(1 Dementia Praecox case tested 19-8-10.4—has been in our court once—other courts 23 times—Juvenile Court 14 times.)

Out of this group of 728 High-grade Moron cases 13.67% have Dementia Praecox without other complications; 0.96% have Dementia Praecox with complications, giving a total of 14.7% with Dementia Praecox.

School Record.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
655	18.49	8.71	11.1	6.45	14.29	*6.36

*We have taken the boys' word as to what grade they reached in school and actually it is perhaps a little lower than our figures but the grade attained, on the whole, corresponds with the mental level.

Age 6	Grade 1	on entering
Age 7	Grade 2	
Age 8	Grade 3	
Age 9	Grade 4	
Age 10	Grade 5	
Age 11	Grade 6	
Age 12	Grade 7	
Age 13	Grade 8	

Finish grade 8 at age 14.

It must be borne in mind that months at these mental years are equivalent in relative mental growth to years later on.

Middle Grade Moron.

Of this group of 151 cases the

Average chronological age was.....18.25
Average basal age was..... 7.82
Average total mental age was..... 9.66

Out of this group we have no arrest record on 20 cases.

In the group of 151 cases the average per cent of

Arrests in the Boys' Court was.....1.62
Arrests in other courts was..... .48
Arrests in the Juvenile Court was.....37

to a group

Out of this group 42 boys or 32% have had 63 arrests in other courts or 1.5 arrests to a boy; 29 boys or 22% have had 49 arrests in the Juvenile Court or 1.69 arrests to a boy.

In the total group of 151 cases there were

21 Dementia Praecox
1 Epilepsy
3 Alcoholics
1 Simulator
1 Drug
1 Hysteria
6 had been in John Worthy School
6 had been in St. Charles

Out of this group of 151 Middle-grade Moron cases 13.9% have Dementia Praecox.

School Record.

MIDDLE GRADE MORON

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
120	18.16	7.85	9.66	7.11	14.0	5.04

Low Grade Moron.

In this group of 52 cases the

Average chronological age was.....17.74

Average basal age was..... 7.03

Average total mental age was..... 8.55

In this group the average percentage of

Arrests in the Boys' Court was.....1.84

Arrests in other courts was..... .45

Arrests in the Juvenile Court was..... .39

to a group

Out of this group 13 boys or 27% have had 23 arrests in other courts or 1.76 arrests to a boy; 11 boys or 22.9% have had 19 arrests in the Juvenile Court or 1.72 arrests to a boy.

Out of the total group of 52 cases there were

6 Dementia Praecox

1 Dementia Praecox plus alcohol

3 had been in Homes

Out of this group of 52 Low-grade Moron cases 11.5% have Dementia Praecox without other complications; 1.9% have Dementia Praecox with complications, giving a total of 13.46% with Dementia Praecox.

School Record.

LOW GRADE MORON.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
23	18.0	7.26	8.70	7.65	13.91	3.83

MORALS COURT.

SCHOOL SPAN.

Average Intelligence.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
39	25.4	9.6	12.38	6.2	15.0	8.66

Average Intelligence.

This group of 42 cases showed the

Average chronological age was.....25.7

Average basal age was..... 9.7

Average total mental age was.....12.4

SCHOOL SPAN.

High Grade Borderland Sociopath.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
20	24.05	10.05	12.26	6.25	14.6	7.84

High Grade Borderland Sociopath.

This group of 24 cases showed the

Average chronological age was.....24.8

Average basal age was..... 9.9

Average total mental age was.....12.16

SCHOOL SPAN.

High Grade, Middle Grade and Low Grade Sociopath.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
36	25.2	9.5	12.0	6.3	14.3	7.3

High, Middle and Low Grade Sociopath.

This group of 43 cases showed the

Average chronological age was.....25.3

Average basal age was..... 9.2

Average total mental age was.....11.7

SCHOOL SPAN.

High Grade Moron.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
243	25.5	8.5	11.2	6.7	14.7	6.74

High Grade Moron.

This group of 261 cases showed the

Average chronological age was.....25.8

Average basal age was..... 8.5

Average total mental age was.....11.2

SCHOOL SPAN.

Middle Grade Moron.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
53	25.6	7.7	9.7	7.15	14.3	5.05

Middle Grade Moron.

This group of 64 cases showed the

Average chronological age was.....25.8

Average basal age was..... 7.6

Average total mental age was..... 9.7

SCHOOL SPAN.

Low Grade Moron.

No. of cases	Average chronological age	Average Basal age	Average Total mental age	Age began school	Age stopped school	Grade
19	27.6	6.4	8.5	6.4	13.6	3.4

Low Grade Moron.

This group of 23 cases showed the

Average chronological age was.....27.3
Average basal age was..... 6.17
Average total mental age was..... 8.35

DOMESTIC RELATIONS COURT.

From June 3, 1914, to December 6, 1915.

During this period there were 696 cases thoroughly examined in addition to a quite large group where a thorough examination was not made, either through lack of time or not desired, etc.

In this group of 696 cases we find that 29.5, or 42.39%, were chronic alcoholics.

75 or 10.77% of this group of 696 cases had chronic alcoholism in addition to an outspoken psychopathic constitution.

123 or 17.67% of this group of 696 cases were cases of Dementia Praecox.

95 cases or 13.65% of this group of 696 cases were medical, surgical and neurological cases, including such diseases as tuberculosis, chronic Bright's disease, diabetes, locomotor ataxia, neuritis, etc.

In the 696 cases there were 8 cases of Paresis or 1.15%.

In this group of 696 cases there were 26 cases or 3.73% of Hysteria.

In the same group there were 7 cases or 1% of Epilepsy.

In the same group there were 4 cases or 0.59% of Senile Dementia.

In the same group there were 6 cases or .86% of Moral Defect.

In the same group there were 8 cases or 1.15% of Gonorrhea.

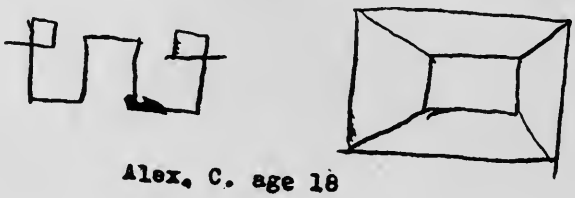
In the same group there were 23 cases or 3.3% of Syphilis.

In the same group there were 70 cases or 10.1% Mental Defectives.

Of the above group of 295 cases or 42.39% chronic alcoholics we practically found none but what whose alcoholism could be traced to an underlying psycho-neurotic basis, such as psychopathic constitution, Dementia Praecox, preparalytic dementia, epilepsy, etc., and a few scattering cases with a physical basis, such as diabetes, tuberculosis, locomotor ataxia, etc., where the cases were trying to whip their flagging energies by these means.

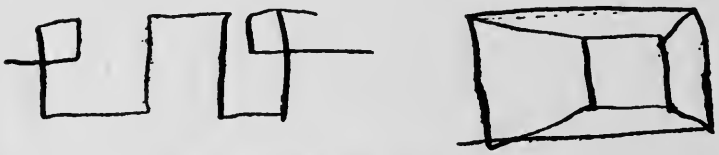
The other alcoholic groups, such as that with psychopathic constitutions and Dementia Praecox, were purely artificial divisions, separated out because the underlying psychopathic bases were more clearly outspoken than in the other large alcoholic group.

Exposed for ten seconds after proper setting of the case.



Alex. C. age 18

E.G. age 17

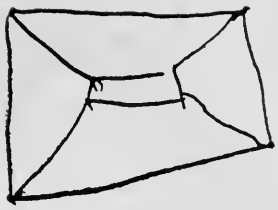


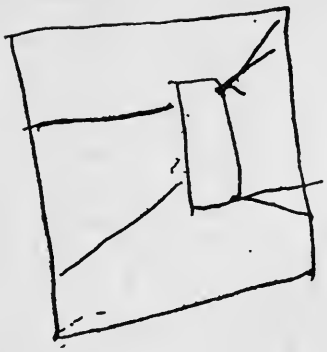
Henry G. age 18

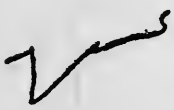
Michael C. age 19

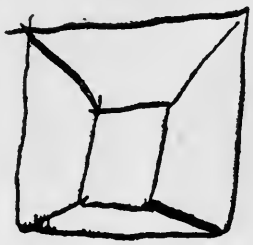
E.F. age 20

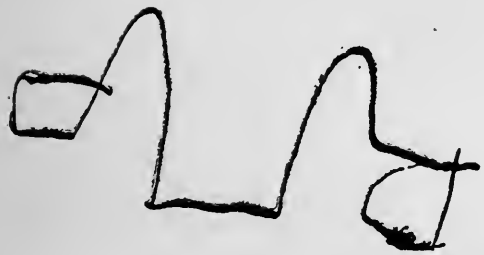
Group of five cases of average intelligence and their reactions to the Visual Memory Test





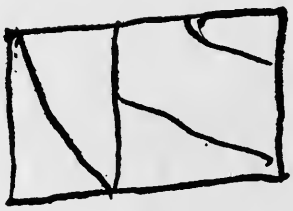


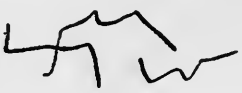


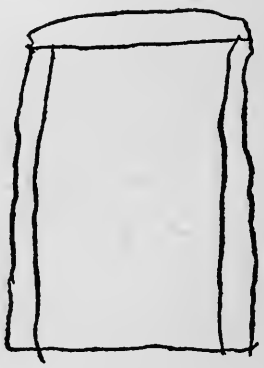


Low Grade Moron.

5 Cases

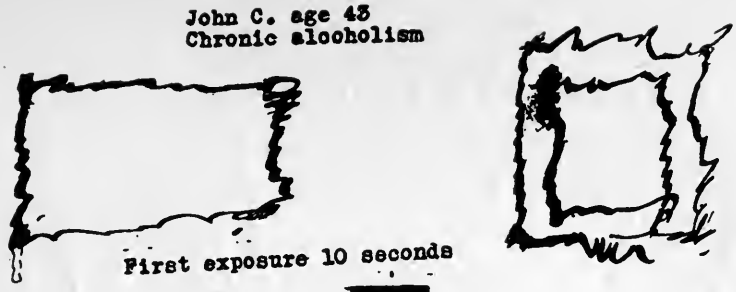




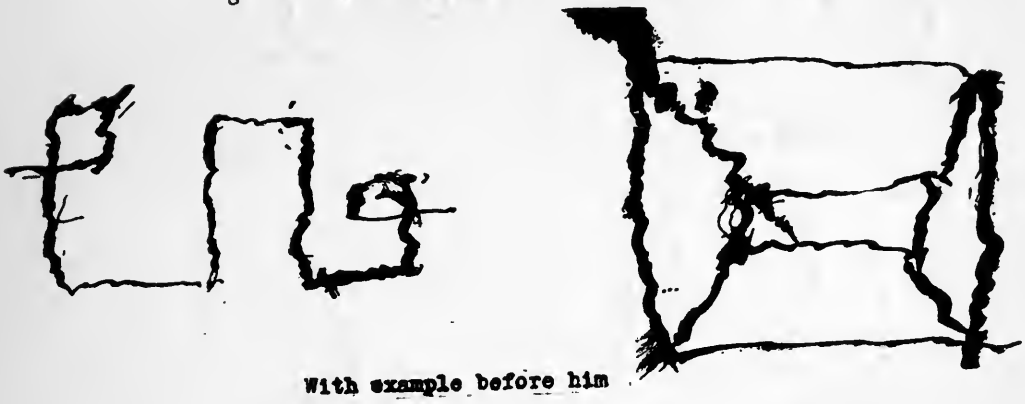


5 Cases Pfropfhebephrenia
(Dementia Praecox grafted
on Feeble-Mindedness).

John C. age 43
Chronic alcoholism



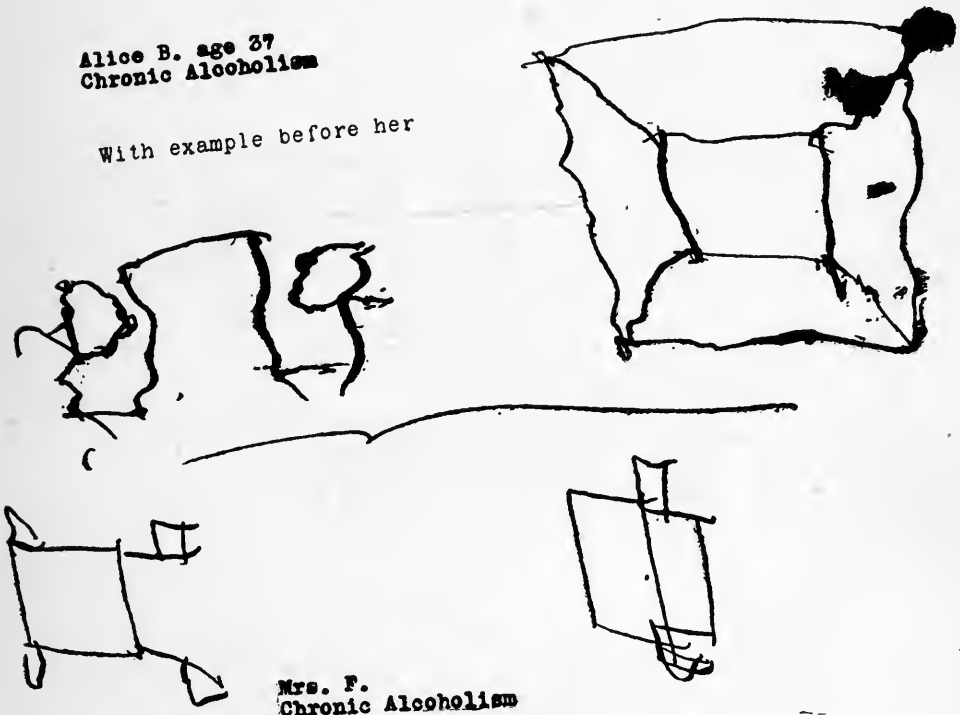
First exposure 10 seconds



With example before him

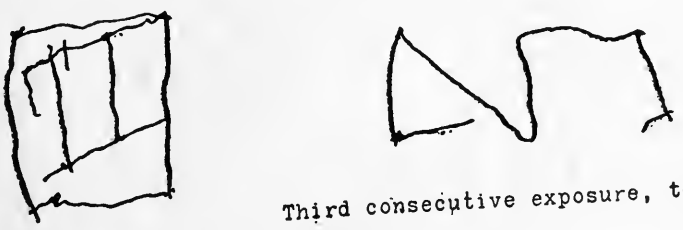
Alice B. age 37
Chronic Alcoholism

With example before her



Mrs. F.
Chronic Alcoholism

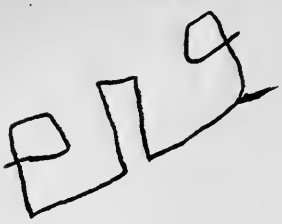
Third consecutive exposure, ten seconds

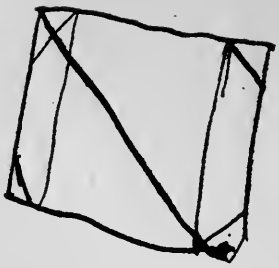


J. M. age 38
Chronic Alcoholism

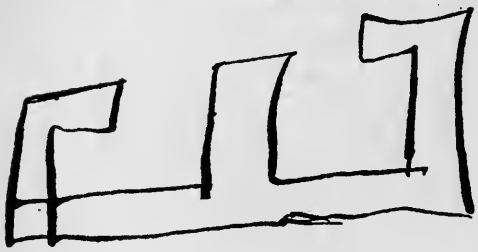
Third consecutive exposure, ten seconds

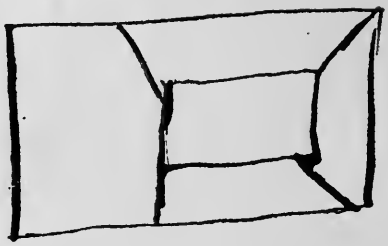
High Grade Moron plus epilepsy



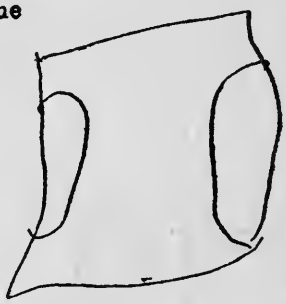


High grade moron plus epilepsy

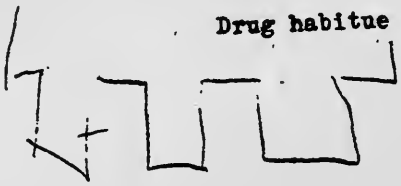


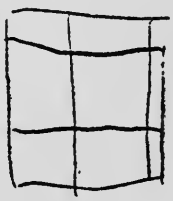


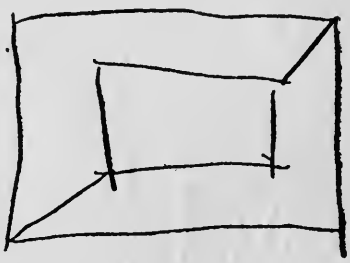
Drug habitue



Drug habitue







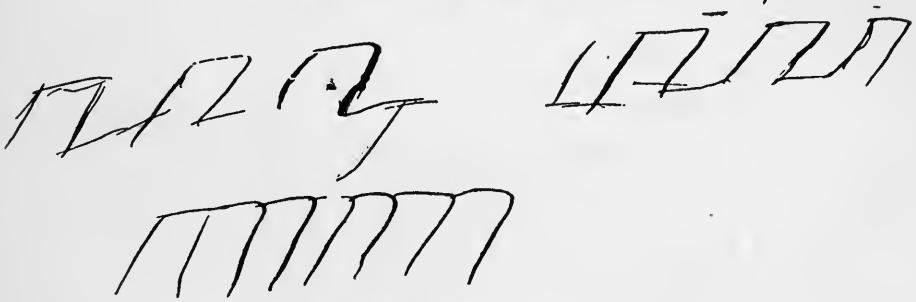
Drug habitue

First exposure 10 seconds —— Tillie J. age 43
Dementia Praecox Hebephrenia

Second consecutive exposure, 10 seconds

Dementia paralytica

With example before him



First exposure 10 seconds

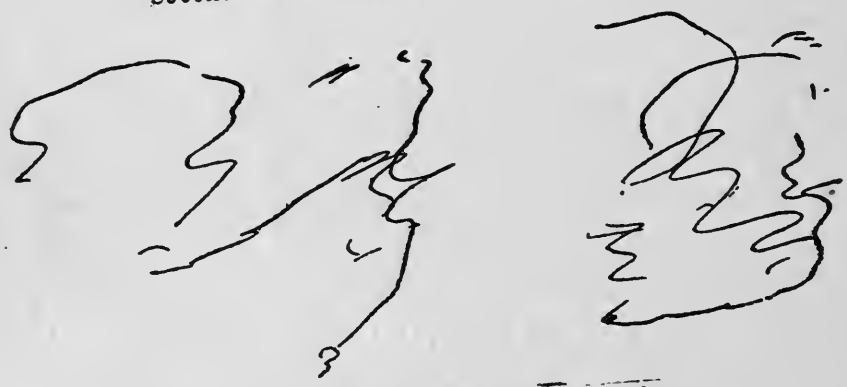
With example before him

Dementia paralytica

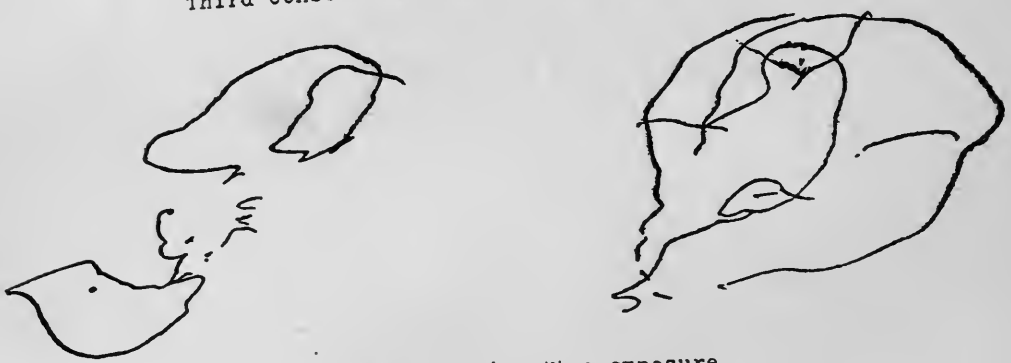
Hysteria

First exposure 10 seconds

Second consecutive exposure, 10 seconds



Third consecutive exposure, 10 seconds



Fourth consecutive exposure

4th exp with examples in front of her and the dress

THE BOYS' COURT.

In April, 1914, Mrs. Louise De Koven Bowen, President of the Juvenile Protective Society, made complaint to the Chief Justice of the Court that a large number of boys were being detained in the Cook County Jail for long periods of time awaiting trial; that some of these boys were in jail on the most trivial charges, the maximum punishment for which would be imprisonment for a shorter term than some of these boys were serving awaiting trial. She was requested to ascertain the number of boys in the County Jail for a given period, and such a list was submitted. The number of boys so awaiting trial in the jail was so large that the Chief Justice determined to establish a branch court to be known as the "Boys' Court," and to send to such court for trial all boys charged with crimes and the violation of city ordinances, who were between the ages of seventeen and twenty-one. Judge Scully, now County Judge of Cook County, was the first judge assigned to the Boys' Court. He served for eight months, when Judge Harry P. Dolan succeeded him. Judge Dolan served for eight months, and was succeeded by Judge Trude. The opening of the Court was delayed until a Psychopathic Laboratory could be established in connection therewith.

Prior to this time, Committee "A" of the American Institute of Criminal Law and Criminology made a report in 1909 of a system for recording data concerning criminals. This report was printed in the Third Annual Report of the Municipal Court, page 45.

Immediately upon the publication of this report an attempt was made to secure a psychological laboratory for the Municipal Court of Chicago. Not until 1914, however, was it possible to secure the necessary appropriation from the City Council. Judge Scully, the first Judge of the Boys' Court, who had formerly been an alderman, Chief Bailiff Cermak, who also had been an alderman, and others, took an interest in presenting the matter to the City Council. The Chief Justice took the matter up with Mayor Harrison, and the Mayor and the City Council provided an appropriation for a psychopathic laboratory. Thereupon steps were taken by the judges of the Municipal Court to establish the laboratory. A committee of the judges, composed of Judges Goodnow, Caverly, Scully, and the Chief Justice, were entrusted with the duty of securing a medical director for it, and with the preliminary details.

The laboratory opened with a medical director, one assistant and several volunteer workers, May 1st, 1914. A summary of the work of the laboratory is contained in the report of the director, Dr. Wil-

liam J. Hickson. This report is one of the first thorough investigations made into the mental status of a large group of individuals, adult and juvenile, charged with crime. Psychiatric examinations have not heretofore been made in courts of this country on so large a scale. The grouping of defendants into the Domestic Relations Court, the Boys' Court, the Morals Court and the Criminal Branches, brings together material for a great psychopathic clinic. The psychopathic laboratory does inestimable work in assisting the court to sort out those who are lacking in complete mental responsibility.

In the Boys' Court, for instance, have been found a large per cent of feeble-minded and a considerable number who are afflicted with dementia praecox. They are unfit to cope with the duties and hardships of a competitive life, and break down because of intellectual weakness which unfits them for anything but the simplest sort of work. The judge refers suspected cases to the laboratory. Whether or not the defendant goes to the laboratory is purely a voluntary matter. The law does not provide for obligatory psychiatric examinations. First offenders, especially the feeble-minded type, are paroled, when that can safely be done, or sent to the psychopathic department of the House of Correction. The court takes into consideration, in fixing the penalty, the fact, where that appears, of the morbid disturbance of the mental faculties, just as the court may take into consideration intoxication, not as an excuse for the crime, but in mitigation of the offense.

The Court desires here to express its appreciation of the services rendered to it by the Juvenile Protective Association; the Protectorate of the Catholic Woman's League, and the Bureau of Personal Service. The Juvenile Protective Association maintained at its own expense two clerks in the Court, one for the period of a year, and one for a period of ten months. The Protectorate of the Catholic Woman's League maintained one clerk for the period of six months, and furnished financial aid, such as money for car fare, lunches, and lodgings at the Dawes Hotel, and the Bureau of Personal Service sent its representatives to the Court daily.

The Court is under obligation to the Big Brothers; the Public Defenders' Association; the Elks; the Legal Aid Society; the Citizens' League; Municipal Tuberculosis Sanitarium; St. Vincent De Paul Society; Arden Shore Convalescent Home; St. Mark's Guild; County Agent; Bureau of Public Welfare (County); Department of Public Welfare (City); United Charities; People's Hospital; Iro-

quois Memorial Hospital; Lincoln State School and Colony, and the Dawes Hotel. The Legal Aid Society maintained one of its officers in the Court for several months at its own expense, and the Citizens' League was always ready to respond to a request for an officer where selling liquor to minors was a factor in a case.

The Laboratory is under great obligations to Mrs. Marie K. Hickson, who not only helped in its organization and prepared the statistics, but was a voluntary assistant for the first year, carrying on a large part of the testing and history-taking, as well as training and standardizing two other workers, Miss Isabelle Patrick and Dr. Mary O'Brien Porter, whose excellent service and constant loyalty to the interests of the Laboratory can not be too highly commended.

Three facts of great importance on the relation of the boy to crime came to the surface early in the Court's history: first, the large number of arrests by the police for trivial causes or for no adequate cause; second, the serious nature of the crimes committed by a small per cent of the boys, and, third, the mental status of many offenders, and of some who were charged with crime when in fact the real grounds of arrest grew out of acts due to feeblemindedness, dementia praecox, epilepsy, or other mental afflictions.

Chief of Police Healy, at the suggestion of the Court and Mayor Thompson and the promptings of the public press, has proceeded against boys for the violation of city ordinances by summons rather than arrests on view, so that the number of arrests of boys for such offenses will, no doubt, in the future be somewhat less.

The reader is referred to the report of Dr. William J. Hickson, Director of the Laboratory, for details of the results of the examinations made by him of defendants passing through the Boys' Court.

The following table shows the number of cases disposed of for the partial year 1914 and the full year 1915, under the headings of Felonies, Misdemeanors and Quasi-Criminal Cases, being mostly charges of violation of City Ordinances:

BOYS' COURT

CASES DISPOSED OF

QUASI-CRIMINAL

1914 From March 18 to December 5, 1914									1915 From December 5, 1914 to December 5, 1915							
Discharged.	Fined.	Committed to County Jail.	Committed to House of Corr.	Non-Suit.	Dismissed, Want of Pros.	Discharged, Deft. not found.	Total.		Discharged.	Fined.	Committed to County Jail.	Committed to House of Corr.	Non-Suit.	Dismissed. Want of Pros.	Discharged. Deft. not found.	Total.
66	15	.....	48	1	3	5	138	Carrying concealed weapons....	32	10	.....	60	6	3	25	136
3,046	342	.....	365	19	177	36	3,985	Disorderly conduct.....	3,153	320	.....	235	118	178	117	4,121
9	11	.....	1	2	.....	.....	23	False weights and measures.....	20	7	.....	.....	1	1	2	31
194	11	.....	.....	.....	1	.....	206	Gambling.....	223	33	.....	.....	3	2	.....	261
3	1	.....	2	.....	.....	.....	6	Indecent exposure.....	.....	1	.....	1	.....	.....	.....	2
27	1	.....	.....	.....	.....	.....	28	Keeping gambling house.....	22	4	.....	.....	.....	.....	.....	26
4	.....	.....	.....	.....	.....	.....	4	Keeping slot machine.....	.....	.....	.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....	.....	.....	Keeping house of ill-fame.....	1	.....	.....	.....	.....	.....	.....	1
44	.....	.....	1	.....	.....	3	48	Keeping disorderly house.....	25	.....	.....	1	.....	.....	.....	26
83	8	.....	3	.....	1	.....	95	Violating park ordinances.....	135	24	.....	6	1	3	6	175
16	1	.....	7	.....	3	.....	27	Vagrancy.....	44	7	.....	10	1	1	2	65
631	49	.....	30	5	12	1	728	Violating other city ordinances..	445	87	.....	17	32	20	8	609
2	1	1	.....	.....	2	.....	6	Bastardy cases.....	.....	.....	.....	.....	.....	.....	.....	.....
4,125	440	1	457	27	199	45	5,294	Total.....	4,100	493	.....	330	162	208	160	5,453

FELONIES

1914						1915				
Discharged.	Held to Criminal Court.	Nolle.	Dismissed. Want of Pros.	Total.		Discharged.	Held to Criminal Court.	Nolle.	Dismissed. Want of Pros.	Total.
.....	1	1	.....	2	Abduction	.....	.....	.....	.....	.....
.....	.....	.....	1	1	Abortion	.....	.....	.....	.....	.....
3	1	.....	.....	4	Arson	.....	3	.....	1	4
19	12	1	.....	32	Assault to kill	9	7	.....	3	19
.....	.....	.....	.....	.....	Bribery	1	2	.....	1	4
192	322	28	33	575	Burglary	156	312	2	157	627
13	8	.....	4	25	Confidence Game	4	23	.....	17	44
.....	.....	.....	1	1	Conspiracy	.....	3	.....	.....	3
4	1	.....	1	6	Crime against Nature	3	4	.....	3	10
1	2	.....	4	7	Embezzlement	1	.....	.....	5	6
1	6	.....	.....	7	Forgery	2	5	.....	5	12
146	94	12	35	287	Larency	97	138	8	114	357
1	.....	.....	.....	1	Manslaughter	.....	1	.....	.....	1
1	1	8	1	11	Murder	3	7	12	3	25
2	.....	.....	.....	3	Obtaining money by false pretenses	.....	.....	.....	.....	.....
26	25	27	2	60	Rape	20	22	2	4	48
43	10	.....	5	58	Receiving stolen property	21	26	3	16	66
116	121	.....	15	252	Robbery	114	336	5	51	506
24	9	5	4	42	Other felonies	21	12	2	15	50
592	613	62	107	1,374	Total	453	901	34	396	1,784

MISDEMEANORS

1914									1915							
Discharged.	Fined.	Committed to County Jail.	Committed to House of Corr.	Nolle.	Dismissed. Want of Pros.	Discharged. Deft. not found.	Total.		Discharged.	Fined.	Committed to County Jail.	Committed to House of Corr.	Nolle.	Dismissed. Want of Pros.	Discharged. Deft. not found.	Total.
2	.....	.....	1	.....	.....	1	4	Adultery and fornication	.....	.....	.....	.....	.....	.....	.....	.....
29	4	.....	11	.....	7	4	57	Assault and battery	26	10	.....	3	3	5	.....	47
66	3	2	32	.....	20	7	130	Assault with deadly weapon	53	5	.....	23	1	29	6	117
5	.....	.....	5	.....	.....	.....	10	Automobiles	.....	.....	.....	1	.....	.....	.....	1
6	8	.....	.....	.....	1	6	21	Children delinquent and dependent	.....	.....	.....	.....	.....	1	1	2
2	.....	.....	2	.....	1	5	10	False pretenses	11	.....	.....	14	.....	9	17	51
16	1	.....	1	.....	1	2	21	Malicious mischief	9	.....	.....	12	.....	2	12	35
.....	.....	.....	1	.....	.....	.....	1	Pandering	.....	.....	.....	.....	.....	.....	.....	.....
40	.....	2	4	.....	2	8	56	Receiving stolen property	38	3	.....	6	1	2	13	63
.....	.....	.....	1	.....	.....	.....	1	Seduction	1	.....	.....	.....	.....	1	.....	2
10	.....	.....	5	.....	5	1	21	Vagrancy	17	.....	.....	7	2	2	2	30
65	4	2	24	.....	5	19	119	Other misdemeanors	104	9	.....	61	.....	23	51	248
161	3	2	186	9	35	189	585	Larceny	212	3	3	301	2	53	295	869
403	23	8	273	9	77	242	1,035	Total	471	30	3	427	9	127	398	1,465
.....	.....	.....	.....	.....	.....	.....	7,703	Grand Total	.....	.....	.....	.....	.....	.....	.....	8,702

GRAND TOTALS 1914 (9 months) and 1915 16,405

BOYS' COURT

CASES FILED

	Violation of Ordinances and Quasi Criminal	Felonies	Misdemeanors	Total	Total Filed 1914-1915
1914	5,027	1,286	886	7,199	
1915	5,227	1,626	1,327	8,180	15,379

CASES DISPOSED OF

Violation of Ordinances and Quasi

	Discharged	Fined	Co. Jail	H. C.	Non Suit	Disch. W. P.	Probation	Disch. Deft. not Found	Total
1914	4,124	440	1	457	27	199	.....	45	5,293
1915	4,100	493	.....	330	162	208	160	.....	5,453

Felonies

	Discharged	Held to C. C.	Nolle Pros.	Disch. W. P.	Disch. Deft. not Found	Total
1914	592	613	62	107	1	1,375
1915	453	901	34	396	.....	1,784

Misdemeanors

	Discharged	Fined	Co. Jail	H. C.	Nolle Pros.	Disch. W. P.	Probation	Disch. Deft. not Found	Total
1914	403	23	8	273	9	77	.....	242	1,035
1915	471	30	3	427	9	127	398	.....	1,465

GRAND TOTAL

1914.....7,703
1915.....8,702 } 16,405

PROBATION RESULTS IN BOYS' COURT AS SHOWN BY RECORDS IN THE ADULT PROBATION DEPARTMENT.

The following table gives a record of all cases discharged from probation prior to April 1, 1916, which cases were admitted to probation from the Boys' Court, being cases of boys from seventeen to twenty-one years of age:

	Improved	Unimproved	House of Cor.	Lincoln	Total
Larceny	244	71	9	..	324
Disorderly Conduct	172	44	6	..	222
Cont. to Delinquency	10	1	..	..	11
False Pretenses	9	4	1	..	14
Assault	12	4	..	..	16
Concealed Weapons	10	2	1	..	13
Inmates Disorderly House	1	..	..	..	1
Receiving Stolen Property	10	..	1	..	11
Fornication	1	..	..	..	1
Mal. Mischief	6	3	..	..	9
Violation Chicago Code	44	8	1	..	53
Driving Auto Without Consent of Owner	9	2	2	..	13
Other Offenses	9	3	..	1	13
Totals	537	142	21	1	701

The following table gives a record of all cases discharged prior to April 1, 1916, which were admitted to probation by different judges in the Boys' Court:

	Improved	Unimproved	House of Cor.	Lincoln	Total
Scully	194	45	3	..	242
Olson	29	5	..	..	34
Dolan	222	67	11	..	300
Stewart	39	8	1	..	48
Hopkins	39	11	1	..	51
Fisher	2	3	..	1	6
Trude	13	1	3	..	17
Wells	1	1	..	..	2
Fry	1	..	..	..	1
Totals	540	141	19	1	701

MORALS COURT.

New Suits Filed.

1914		1915
10,246	Quasi-Criminal	13,020
45	Felony	21
938	Misdemeanor	569
11,229	Total	13,610

Cases Disposed Of.

(Quasi.)

1914		1915
11	Carrying concealed weapons	10
2,046	Disorderly conduct	2,916
5	Gambling	.....
6	Immoral exhibitions	.....
26	Indecent exposure	4
2	Keeping slot machine	.....
3,006	Keeping house of ill-fame	213
4,728	Keeping disorderly house	6,536
2,085	Night walker	2,016
12	Violating park ordinances	33
4	Vagrancy	2
75	Violating other city ordinances	98
1	Bastardy cases	.....
12,007	Total	11,828

(Felony.)

13	Abduction	2
1	Abortion	..
0	Bribery	1
1	Confidence game	..
1	Crime vs. Nature	..
1	Enticing female into house of prostitution	..
0	Incest	.1
22	Larceny	15
0	Murder	1
0	Rape	1
0	Robbery	2
10	Other felonies	13
49	Total	36

(Misdemeanor.)

0	Abandonment	1
484	Adultery and fornication	..
4	Assault and battery	257
119	Assault with deadly weapon	1
0	Automobiles	12
1	Children, delinquent and dependent	2
1	Obscene books	..
36	Pandering	48
10	Seduction	1
11	Vagrancy	..
21	Other misdeameanors	131
17	Larceny	44
589	Total	497
12,645	GRAND TOTAL DISPOSED OF	12,361

The reason that there are more cases disposed of than filed in 1914 is that during the previous year the court did not dispose of all cases.

Disposition of Cases.

1914.

(Quasi.)

	Dis.	Fined	H. C.	Non-Suit	Dis. Wt. Pros.	Dis. Def. Not Fined	Prob.	Total
Keeping house ill-fame...	641	2,176	72	87	9	21	...	3,006
Keeping disorderly house.	1,688	2,590	205	219	11	15	...	4,728
Night walking	443	1,291	229	23	5	94	...	2,085
Other cases	1,037	867	133	101	17	33	...	2,188
Total	3,809	6,924	639	430	42	163	...	12,007

(Felony.)

Discharged	Held to C. C.	Nolle Pros.	Disch. Wt. Pros.	Disch. Def. Not Found	Total
18	15	4	11	1	49

(Misdemeanor.)

	Disch.	Fined	Co. Jail	H. C.	Nolle Pros.	Disch Wt. Pros.	Disch. Def. not fd.	Total
Pandering	13			15	4	4		36
Other Cases ..	198	30	38	50	53	85	99	553
Total	211	30	38	65	57	89	99	589

1915.

(Quasi.)

	Disch.	Fined	H. C.	Non-Suit	Disch. Wt. Pros.	Prob.	Total
Keeping House Ill-Fame.....	93	70	22	26	1	1	213
Keeping Dis. House.....	2265	3451	414	338	30	38	6536
Night Walking	571	1085	243	71	18	28	2016
Other Cases	1302	1286	230	186	41	18	3063
Total	4231	5892	909	621	90	85	11828

(Felony.)

Discharged	Held to C. C.	Nolle Pros.	Discharged Wt. Pros.	Total
19	10	3	4	36

(Misdemeanor.)

	Disch.	Fined	County Jail	H. C.	Nolle Pros.	Disch. Wt. Pros.	Proba-tion	Total
Pandering	20	..	1	15	10	..	2	48
Other Cases	160	33	38	67	52	47	52	449
Total	180	33	39	82	62	47	54	497

Grand Totals.

1914		1915
12,007	Quasi	11,828
49	Felony	36
589	Misdemeanor	497
12,645	Total	12,361

Jury Trials.

	Guilty	Not Guilty	Disagreement	Total
1914	30	2	1	33
1915	6	8	..	14

Fines Collected.

	State Cases	Park Board Cases	City Cases	Total
1914	$ 752.00	$ 26.00	$42,480.00	$43,258.00
1915	656.00	150.00	23,267.00	24,073.00
Total	$1,408.00	$176.00	$65,747.00	$67,331.00

DOMESTIC RELATIONS BRANCH.

The work of this branch court has steadily increased since it was established on April 3, 1911. During eight months of 1911, 1987 suits were filed in this branch; in 1912 there were 3221 suits filed; in 1913 the number had increased to 4510; in 1914 there were 5263; while in 1915, 4791 suits were filed therein.

Times of financial depression, with thousands of men in Chicago out of employment, may account for the large increase in the number of suits filed and for the decrease in the amount of money paid through the Clerk's office towards the support of women and children.

INTERVIEWS IN COURT.

1914 Interviews	1914 Examination by Dr. Hickson	Classification of Cases	1915 Interviews	1915 Examination by Dr. Hickson
99	35	Abandonment	59	22
28	5	Abuse	14	6
160	82	Bastardy	28	3
506	265	Contributing to Dependency	389	183
19	9	Crimes against children	2	1
1	1	Delinquency	4	3
5	1	Emergencies in Court	..	..
2	2	Rape	..	..
66	6	Witnesses	32	13
385	108	Unclassified	339	75
1,271	514	TOTAL	867	316
	322	Visits in the Homes	291	
		Examinations made by other Doctors	100	

CASES REFERRED TO OTHER AGENCIES.

1914		1915
67	United Charities	26
17	St. Vincent de Paul	1
130	Visiting Nurses' Association	74
8	County Agent	4
49	Dispensary for medical care	36
4	Municipal Tuberculosis Sanitarium	4
3	Ill. Children's Home and Aid Society	5
4	Legal Aid Society	2
4	Juvenile Court	1
4	Bureau of Personal Service	2
4	Bohemian Aid Society	..
5	Mental Hygiene	3
2	Infant Welfare Society	1
1	Jewish Charities	3
4	Juvenile Protective Association	..
0	Humane Society	..
48	Sent to Hospitals	..
14	Sent to Homes	..
368	TOTAL	162

The amounts collected during the five years since the establishment of this Branch were:

	1911 (8 Mos.)	1912	1913	1914	1915
Abandonment and Dependency	$17,363.05	$53,744.78	$94,498.44	$85,573.08	$107,969.28
Bastardy	2,255.00	7,675.00	4,935.00	9,296.00	9,210.50
Totals	$19,618.05	$61,419.78	$99,433.44	$94,869.08	$117,179.78

DECISIONS OF THE SUPREME AND APPELLATE COURTS AFFECTING THE MUNICIPAL COURT AND THE PRACTICE THEREIN.

A number of practice decisions construing the Municipal Court Act and the rules of court adopted thereunder have been rendered by the Supreme and Appellate Courts in cases taken from the Municipal Court. Considerable constitutional law has been expounded by the Supreme Court, some of the decisions upholding certain parts of the statute, and others invalidating other portions thereof. For the convenience of the bar, the holdings of these courts are published below, the list having, in addition to the cases that went from the Municipal Court, a number of cases from other courts. Decisions are digested from the opinions themselves and not from the reporters' head-notes; but where, in those Appellate Court decisions not reported in full in the published reports there is no reference to the point, the matter is not deemed of sufficient importance to warrant digesting. Otherwise this digest includes all decisions up to and including all of Volume 273 of the Supreme Court Reports, and all of Volume 194 of Appellate Court Reports, except those Appellate Court decisions very clearly overruled or sustained by Supreme Court decisions.

Abatement—Motion to Dismiss for Matter of.—Strict rules of pleading in abatement do not apply. Motion to dismiss, supported by affidavit, is only way under rules of court to present matter in abatement. Wilcox v. Conklin, 255 Ill., 604.

It is only where objection to the jurisdiction must be taken by plea that there is an admission of jurisdiction by the appearance of a party by his attorney. Id.

Rule 12 of the court makes a motion to dismiss, supported by an affidavit, equivalent to a plea in abatement. Burr v. Co-op. Constr. Co., 162 App., 512.

Such affidavit need not be preserved in the record by a statement of facts for review. Id.

Where the defendant in an action of the fourth class moved to dismiss the suit and with the motion filed an affidavit which stated that the plaintiff had no right to maintain the suit, which motion to dismiss was denied, and the cause was submitted to the court, it was held that the right to maintain the action was not to be determined on

the affidavit filed with the motion to dismiss, treated as a special plea, but on the facts of the case as shown by the evidence. Courier-Journal Job Prtg. Co. v. Anderson, 159 App., 32.

Abbreviated Forms of Orders.—Chicago v. Coleman, 254 Ill., 338; Stein v. Meyers, 253 Ill., 199; Chicago v. Mitchell, 256 Ill., 236.

Where the transcript of a record shows that the final judgment was, on the day it was rendered, written out in full, the question of the abbreviated docket entry cannot be raised in the Supreme Court. Nicholson v. Loeff, 253 Ill., 526.

A list of original papers filed, appearing on the same page of the record-book as the court orders, is not invalid because abbreviated. Isbitz v. C. C. Ry. Co., 192 App., 487.

Where a record is written in abbreviated form, and the transcript in the Supreme Court does not show that it was not also written out in full when entered, no advantage can be taken of the abbreviated form. Richter v. Burdock, 257 Ill., 410; Isbitz v. C. C. Ry Co., 192 App., 487.

If abbreviation of judgment order is invalid, no judgment lien attaches. Hooper v. Bank of Two Rivers, 255 Ill., 549.

Amendment of abbreviated record nunc pro tunc. Hooper v. Bank of Two Rivers, 263 Ill., 400; Hunter v. Empire Surety Co., 191 App., 634.

Where in a suit on a stay bond, the plaintiff offered in evidence the bond, order of affirmance and the record of the Municipal Court in abbreviated form, showing the entry of the judgment, it was held that, the bond reciting that a judgment was entered on a given day for a stated amount and being expressly conditioned for the payment of that judgment, the defendant is estopped from alleging that the record was written only in abbreviated form, and did not show a judgment. Glassman v. Behr, 181 App., 258.

Where in a suit on a replevin bond, it was contended that the docket entries in abbreviated form were insufficient to show the action of the court in the replevin suit, it was held that, even if so, the recitals of the writ of retorno and other evidence were sufficient to warrant the court in finding that there had been a breach of the bond. For aught that appears, a formal judgment may have been entered from the clerk's entry as a minute. Hunter v. Com. Sec. Co., 181 App., 260.

The amendment, nunc pro tunc, of a judgment originally entered in abbreviated form, cannot be objected to for constitutional reasons

because it was origially not in the English language. Hunter v. Empire Surety Co., 261 Ill., 335.

Clerk may write up judgment of which he has only abbreviated memoranda, after next succeeding term in Circuit Court, without nunc pro tunc order. P. v. Petit, 266 Ill., 628.

Account.—Court has jurisdiction on book account in a fourth class case. Vance v. MacLean, 192 App., 455.

Section 68 of the Practice Act, providing for the reference of matters of account to a referee, having been adopted by rule of the Municipal Court making such practice applicable to that court, is recognized as a proper rule of procedure. Banschbach v. Gillen, 148 App., 222.

Acknowledgment Before Clerk.—See Justice of the Peace.

Action.—Party suing in an action of the fourth class need not name his action, or if misnamed, it will not affect his rights, if upon hearing the evidence, he appears to be entitled to recovery. Edgerton v. C., R. I. & P. Ry. Co., 240 Ill., 311; see Pluard v. Gerrity, 146 App., 224; Schultz v. Ericsson, 182 App., 487.

When action for personal injuries may be brought in contract, Chudnovski v. Eckels, 232 Ill., 312.

Adverse Party, Examination of.—There is no occasion for the application of Sec. 33 where plaintiff calls defendant as a witness and accepts his testimony as true, even though plaintiff states that the witness is called under Sec. 33. Weber v. Levine, 252 Ill., 346.

Adverse party must be subpoenaed as other witnesses. Lew v. Katz, 187 App., 460.

A defendant in a suit, though civil in form but brought to recover penalties for an offense against the laws of the state, such as for withholding a will from probate, cannot be examined under Sec. 33. Rodisch v. Koethe, 178 App., 286.

A sales agent who has charge of several employes and assistant sales agents at the Chicago office of the defendant, having its principal office in another city, who was constantly engaged in making sales and developing the business of the defendant "from the sales end of it," and who, on behalf of defendant, made the contract with the plaintiff in suit, with the acquiescence of the defendant, was such a "superintendent or managing agent" as to come within the

purview of Sec. 33, that he might be called thereunder. Paris Flouring Co. v. Imperial Milling Co., 181 App., 215.

Where one of two defendants is called by plaintiff under Sec. 33 and his testimony tends to show his co-defendant was his partner, and hence liable with him for plaintiff's claim, he may be cross-examined by his co-defendant. Hartford Suspension Co. v. Sbarbaro, 182 App., 426.

Where one of two defendants is examined under Sec. 33, the defendants may cross-examine or re-examine the witness, but where the witness has testified fully, no harm can be done by a contrary ruling. Colekin v. Bamborough, 159 App., 130.

The cross-examination of a witness when called by the adverse party and then the examination of him in chief by such cross-examiner does not waive the right to call the witness under Sec. 33. Prox Co. v. Bryan, 162 App., 381.

An architect having in charge alterations being made in a building of defendant, a corporation, is not such an officer as can be examined under Sec. 33. Kaestner v. Pope, 152 App., 22.

Case where the only testimony offered was that of defendant called for examination under Sec. 33. Rosenberg v. Miller, 181 App., 443.

Section borrowed from Minnesota Code. Decision of Supreme Court of Minnesota quoted, showing that party calling adversary is not bound by testimony. Malleable Iron Co. v. Brennan, 174 App., 38.

Evidence so obtained is competent not only against witness but any other party in the cause. Id.

See Interrogatories.

Affidavit of Merits, *Default for Want of.*—A defendant may be defaulted for want of, even though his appearance is on file. McWhinney v. Gill, 167 App., 582; Cohen v. Davis, 182 App., 456.

Where a defendant is defaulted for want of, he is not entitled to a trial merely because he has entered an appearance. McWhinney v. Gill, 167 App., 582.

The judgment by default after appearance should be judgment nil dicit and not for want of an appearance. Mann v. Brown, 263 Ill., 394.

When May Be Required.—May be required in a fourth class case. Koch v. Dickinson, 152 App., 413.

Jurat—Waiver.—Where a jurat to an affidavit of merits and claim

of set-off are not signed by an officer authorized to administer oaths, held that, there being no affidavit of merits, plaintiff is entitled to judgment for the amount shown in the affidavit of plaintiff's claim. Defendant in such case is not entitled to have his defense or claim of set-off considered by the Municipal Court. Erickson v. Madsen, 180 App., 412.

Where the jurat to affidavit to plaintiff's statement of claim was insufficient, but defendant was given leave to file an affidavit of merits, he thereby conceded the sufficiency of the affidavit to the statement of claim. Having interposed no objection in the lower court to the sufficiency of the affidavit, the defendant cannot raise the question for the first time in the Appellate Court. Eberhart v. Foster, 165 App., 175.

Default After Several Affidavits Stricken.—After five affidavits of merits, all ambiguous and evasive, had been filed, and the defendant had ample opportunity to specify the nature of his defense, but failed to do so, it was proper to strike affidavits of merits and to default him. Mann v. Brown, 182 App. 1; see same case in Supreme Court (263 Ill., 394), where the court did not pass on the question, because motions to strike the affidavits were not preserved in a bill of exceptions.

Where three affidavits of merits were stricken for insufficiency and time granted to file another affidavit, but defendant did not take advantage of this leave, but allowed judgment to go by default, held that while the last affidavit might have been deemed sufficient, it nevertheless was somewhat ambiguous and evasive. The judgment was affirmed, the court holding that while it was a matter of practice in the Municipal Court, the Appellate Court was not satisfied that the judgment resulted from substantial errors of the Municipal Court. Jung Brew. Co. v. Grimm, 162 App., 564.

Facts Not Specifically Denied Are Admitted.—Application of rule: Berenzweig v. Krecum, 188 App., 586; Leonard Produce Co. v. Union Pacific R. R. Co., 180 App., 415; Barnes v. Pattern Co., 180 App., 330; Hamill v. Watts, 180 App., 279; Hill v. Carson, 177 App., 314; Kuhn v. Chicago, 178 App., 411; Kadison v. Fortune Bros. Brg. Co., 163 App., 276; Trinity v. Marie, 192 App., 222; Johnston v. Kuecken, 192 App., 267; Isbitz v. C. C. Ry. Co., 192 App., 487; Marx v. Daily News, 194 App., 322.

Where the verified statement of claim alleged that the plaintiff, suing for wages, had served the satutory three days' demand, entitling him to the allowance of attorney's fees as costs, and such al-

legation was not denied by the affidavit of merits, proof of such demand was not necessary on the trial. Gough v. Bensinger, 183 App., 234.

In a suit on a collateral continuing guaranty, a prima facie case is made when the plaintiff makes proof of the indebtedness and the guaranty, and the fact that no suit was brought against the original debtor and that no notice was given to the guarantor of the default of the principal debtor, if a defense at all must be set up specially by affidavit of merits. National Bank v. Miller, 178 App., 450.

Where the defendant in his affidavit of defense did not deny that the contract sued on was valid and binding upon him, but claimed damages for the alleged failure of the plaintiff to fulfill the contract, he was limited to the defense set up in his affidavit of defense. Guerra v. Rocco, 181 App., 528.

Under Rule 17, the defendant is confined to such defenses as are specifically set out in his affidavit of merits. McDonnell v. Fitzpatrick, 175 App., 384; Springer v. Simpson, 175 App., 631.

Where in a suit for damages caused by improperly running an automobile, the affidavit of merits does not deny the ownership of the automobile, held that under Rule 17 the ownership of the automobile stands admitted of record. Burdick v. Valerius, 172 App., 267.

So in a suit to recover life insurance, if the affidavit of merits does not set up the defense that the proofs of death were not accompanied by a copy of the coroner's verdict as required by the insurance society. Saul v. Daughters of Columbia, 172 App., 272.

Where an affidavit of merits sets forth a breach of warranty, evidence of malpractice incompetent. McDonnell v. Fitzpatrick, 175 App., 384.

What Sufficient.—An affidavit of merits should not be stricken because it says that defendant does not know the "exact length of time during which plaintiff sold goods for a competing firm," nor the amount of goods so sold. While under common law pleading the defendant would be permitted to set up the matter and in it fix the damages claimed at any amount, still under the practice in the Municipal Court, where the defense must be shown by affidavit, the most that could be expected of the defendant would be to put in the affidavit an estimate of the amount claimed. Whitney v. Jones Co., 174 App., 116.

What is a sufficient denial in affidavit of merits. Wolfort v. Lipsey, 189 App., 34.

The rule of court that a mere denial will not be deemed a sufficient affidavit of merits not applicable where the affidavit is a specific denial of the allegations of plaintiff's statement of claim. Id.

Error not to allow defendant to show that goods were sold to third party, even though affidavit of merits did not set that up as a defense. Laskey v. Mendelssohn, 191 App., 597.

An affidavit of merits setting up matters in recoupment should not be stricken from the files. Sample v. Farson, 174 App., 334.

Is sufficient even though it does not deny conclusions stated in statement of claim. Philippe v. Curran, 191 App., 433.

What Not Sufficient.—"That the plaintiff has not and never had a cause of action against the defendant; that plaintiff is not an innocent holder of the supposed note for value before maturity and that the supposed note was obtained by the original holder from the defendant by fraud and circumvention and a failure of the supposed consideration for the supposed note." Specifying the nature of the defense means the pointing out with particularity the facts which constitute such defense. To do this the affidavit must state in a direct and positive manner facts sufficient to disclose the elements of a substantial defense. The affidavit should be as to the existing facts, so that if false the party making it could be convicted of perjury. Perry v. Krausz, 166 App., 1.

Where the affidavit states mere conclusions, it is properly stricken. Weil v. Fed. L. Ins. Co., 182 App., 322. See Greeman v. Nelson, 191 App., 494.

Certain affidavit of merits stricken from the files as not presenting a defense under the rules. Jung Brew. Co. v. Grimm, 162 App., 564.

Portions of affidavit may be stricken if they do not offer a defense. Foster v. Zeller, 191 App., 508.

Denial of Execution or Assignment.—By virtue of Rule 23 adopting Sec. 52 of Practice Act, an affidavit of merits denying assignment of note to plaintiff places on plaintiff burden of proving that fact. Duquesne Sec. Co. v. Hodgens, 182 App., 88.

Rule Same as Sec. 55 of Practice Act.—On error assigned involving the construction of the rule of court as to affidavit of merits, the appellate court, not being able to take judicial notice of such rule, will assume that section 55 of the Practice Act controls. Wolfort v. Lipsey, 189 App., 34.

Application of Common Law Rules of Pleading.—In passing upon

the sufficiency of an affidavit of merits wherein is stated the nature of the defendant's defense to an action upon a note, the court should apply the same tests as would be applied to a plea. Goding v. MacArthur Co., 181 App., 373.

Waiver of Objection to Insufficient Affidavit.—The setting up of certain points of defense in an affidavit of merits may be waived by plaintiff's conduct on the trial. Yuckman v. Considine, 175 App., 613.

Waiver Where Objection First Raised in Appellate Court.—Gary v. Beadles, 192 App., 459.

Amendment and Standing by Affidavit.—Where defendant pleaded that plaintiff was a foreign corporation and had not complied with the statute regulating the admission of foreign corporations to do business in this state, and the case coming on for trial, and upon defendant being then notified that all defenses must be alleged in an affidavit of merits, held error not to grant leave to defendant to file an affidavit covering the whole of plaintiff's claim. Reed Mfg. Co. v. Foley, 178 App., 72.

Where defendant obtained leave to file an amended affidavit of merits he thereby waived the right to insist upon the sufficiency of the first affidavit. National Bank v. Claney, 178 App., 427.

If an affidavit of merits does not state a defense, the court is justified in striking the affidavit, and the defendant by not asking leave to file an amended affidavit, in effect elects to stand by it, in which case it is proper for the court to enter judgment pursuant to Rule 17. Id.; Allen v. Roughan, 175 App., 380.

Where an affidavit of merits was filed on behalf of two defendants and the suit was afterwards dismissed as to the one signing the affidavit, it was held that the affidavit did not lose its efficiency by one of the defendants being dismissed out of the suit, and that the purpose of the statute and rules of court requiring affidavits of defense is to provide that plaintiff shall not be delayed in enforcing a claim unless the defendant or some one interested with, or for him, shall disclose a meritorious defense. Flat Top Fuel Co. v. Benjamin, 159 App., 631.

Where an affidavit of merits was stricken for insufficiency more than a month before the trial, and the defendant did not file an amended affidavit within ten days as ordered, and on the trial the amended affidavit of merits was offered, held that it was within the discretion of the court to allow or deny the filing of the second affidavit. National Bank v. Miller, 178 App., 450.

Reading to Jury.—It is improper for the trial judge, before instructing the jury in a case where the evidence is closely conflicting, to read defendant's affidavit of merits to the jury, where plaintiff's statement of claim has not been read. Jaros v. Wertzberger, 182 App., 453.

Rule Not Subject to Review.—Where affidavit was stricken and judgment by defendant entered, held that the court is the sole judge of its rules of practice, and its decisions in respect thereto shall not be subject to review unless in the opinion of the upper Court such relief is necessary to prevent a failure of justice. Dubois v. Greenbaum, 159 App., 452.

Preserving In the Record.—Motions to strike and orders striking from the files and exceptions thereto should be preserved by bill of exceptions. Mann v. Brown, 263 Ill., 394; Jones v. Roberts, 188 App., 609; Aetna Ins. Co. v. Wadeford, 199 App., 606.

Where it appears that on the day judgment was rendered and before default was taken, defendant tendered an affidavit of merits which both the clerk and the court refused to receive on the ground that the time to file the same had gone by, it was held that as the nature or contents of the affidavit presented were not preserved in the record, the Appellate Court could not say that the Municipal Court abused its discretion, it otherwise appearing that the action was taken in accordance with the rules. Paulding v. White, 178 App., 419.

Amendments.—Where a bill of exceptions states that on the trial plaintiff was given leave to amend his statement of claim, but no order granting leave to amend it was then entered, there is a sufficient justification to warrant the subsequent entry of an order allowing such amendment *nunc pro tunc.* Kavooras v. Hasler, 145 App., 72.

Where leave is given to amend by adding name of usee, actual literal amendment is not required where no written pleadings at all are necessary. Siegel, Cooper & Co. v. Metro. Amus. Assn., 141 App., 89; Joseph v. Levy, 191 App., 595.

Application for leave to amend affidavit of merits should be accompanied by proposed amendment. DeVoney v. Chiappe, 192 App., 435.

Complaint for violation of city ordinance may be amended after verdict of guilty and while motion for new trial is pending. Chicago v. Shreffler, 175 App., 547.

Amendment as to names of parties after judgment. Oppenheim v. Mower, 193 App., 48.

Items of the same nature as those sued for originally but which do not mature until after the commencement of the suit may be brought in by amendment. Davis v. Stevens, 192 App., 374.

The Municipal Court Act confers power upon the court to permit an amendment changing a fourth class action from tort to contract during the trial, there being no new cause of action. Joerg v. A. T. & S. F. Ry. Co., 152 App., 229.

Statement of claim may be amended after close of plaintiff's case. Lunkes v. Gluljich, 182 App., 116; Grutza v. Mining Co., 178 App., 274.

See Judgment, Finality of, Motion to Vacate.

Appeal Bond.—When an appeal bond is filed in the Municipal Court the jurisdiction of that court ceases and that of the upper court attaches. Procedure thereafter in the cause is regulated by rules governing procedure in the upper court. David v. Com. Mut. Acc. Co., 243 Ill., 43.

The Municipal Court has no jurisdiction to extend the time for filing an appeal bond where the time originally allowed has expired. Bairstow, etc., v. N. Y. Life Ins. Co., 148 App., 186.

Appeals and Errors. *Time for Prosecuting.*—Sec. 23 limiting the time in which to sue out a writ of error in a fourth class case is unconstitutional. Such writ may be sued out at any time within three years after the date of the judgment. Hoffman v. Paradis, 259 Ill., 111; Goldstein v. Muller, 259 Ill., 237.

Sec. 23, providing that final judgments in fourth class cases shall be reviewed by writ of error only and that the time within which a writ of error may be sued out shall be limited to thirty days after the entry of the final judgment, "is not an attempt to confer appellate jurisdiction on any court, but is merely a recognition of the jurisdiction of courts already existing, and a limit is provided to the time within which writs of error may be sued out of the Appellate Court in the exercise of its jurisdiction existing under other provisions to review judgments of the Municipal Court." Hosking v. So. Pac. Co., 243 Ill., 324; see also Kline v. Barnes, 250 Ill., 407, and P. v. Hib. Bkg. Assn., 245 Ill., 522.

To What Courts of Review.—Notwithstanding Sec. 22, providing specifically in what cases the Supreme Court shall take jurisdiction on appeal or error, that court has entertained appeal and error direct from the Municipal Court, where the validity of municipal ordinances has been brought in question upon certificate of the trial judge as

provided by Sec. 118 of the Practice Act. Chgo. v. M. & M. Hotel Co., 248 Ill., 264. Chgo. v. P. Ft. W. & C. Ry. Co., 247 Ill., 319; Id., 248 Ill., 100; Chgo. v. Ripley, 249 Ill., 466; Chgo. v. Ice Cream Co., 252 Ill., 311; Chgo. v. Drogasawacz, 256 Ill., 34; Chgo. v. Ross, 257 Ill., 76; Chgo. v. Kluever, 257 Ill., 317.

A case involving the revenue must be taken directly from the Municipal to the Supreme Court. P. v. Hib. Bkg. Assn., 245 Ill., 522; P. v. Cos. Ins. Co., 246 Ill., 442.

Jurisdiction of the Appellate Court to review judgments of the Municipal Court is not dependent upon the Municipal Court Act, but such jurisdiction exists by reason of the Appellate Court Act concerning the review of judgments of city courts. Hosking v. S. P. Co., 243 Ill., 320. Sec. 23 of the Municipal Court Act does not purport to confer jurisdiction upon the Appellate Court to review judgments of the Municipal Court. Id.

Under Sec. 121 of the Practice Act of 1907, a case of the fourth class, of which the Appellate Court has jurisdiction, could not be removed to the Supreme Court in the absence of a certificate of importance. Dale v. Modern Woodmen, 237 Ill., 499; Rockhill v. Congress Hotel Co., 237 Ill., 98.

The Appellate Court may grant a certificate of importance and allow an appeal from that court to the Supreme Court in a fourth class case, which the Municipal Court Act provides shall be reviewed by write of error sued out of the Appellate Court. Rockhill v. Congress Hotel Co., 237 Ill., 98.

In Fourth Class Case.—Appeal lies. Israelstam v. U. S. Casualty Co., 272 Ill., 161.

Act Does Not Govern Practice In Courts of Review.—Blake v. DeJonghe Hotel Co., 263 Ill., 471; Clowry v. Holmes, 238 Ill., 577; P. v. Cos. Ins. Co., 246 Ill., 442; Hoffman v. Paradis, 259 Ill., 111.

The act cannot fix the time for filing record in the Appellate Court. David v. Com. Mut. Acc. Co,. 243 Ill., 43; Travellers' Ins. Co. v. Leafgreen, 150 App., 155; Bairstow v. N. Y. Life Ins. Co., 148 App., 186.

When Appeal Does Not Lie.—An appeal does not lie from the Municipal Court in any case where the statute merely provides for writ of error. P. v. Gartenstein, 248 Ill., 546.

No appeal is authorized in any criminal case in the Municipal Court. P. v. Jacobson, 247 Ill., 394.

Right of appeal not taken away by the declaring of a part of Sec. 22 unconstitutional. Blake v. DeJonghe, 260 Ill., 348.

Denial of Supersedeas Not an Affirmance.—The provision of the act that the denial of a supersedeas by a justice of the Appellate Court shall be an affirmance of the judgment below unless otherwise ordered, is unconstitutional. Clowry v. Holmes, 238 Ill., 577.

Constitutional Questions in Appellate Court.—A constitutional question is waived when first raised by petition for rehearing in the Appellate Court. P. v. Krueger, 237 Ill., 357.

But *contra,* Appellate Court decision being reversed for not having declared provision of Act unconstitutional. Israelstam v. Casualty Co., 272 Ill., 161.

Where the constitutional question did not exist in the Municipal Court, the Appellate Court being without power to pass upon it, it may be first raised in the Supreme Court. Clowry v. Holmes, 238 Ill., 577.

Substantial Justice In Lower Court.—Under the Act, the Appellate Court should not reverse a judgment of the Municipal Court if the former is of the opinion that substantial justice has been done. Finch v. Wis. Dairy Farms Co., 167 App., 400.

Objections that are highly technical are untenable under the letter and spirit of the Municipal Court Act. Pretzel v. Anderson, 162 App., 538.

The Appellate Court will not reverse a judgment of the Municipal Court unless the former is satisfied that the "Judgment is contrary to the law and the evidence or that such order or judgment resulted from substantial errors of the Municipal Court directly affecting the matters at issue between the parties." Hamilton v. Tuttle, 157 App., 345; Judd Mfg. Co. v. Paris D. & Co., 162 App., 600; Zustovich v. Morrison, 163 App., 44.

The presumption on appeal or error that the judgment of the trial court is correct, until the contrary is shown, applies to judgments of the Municipal Court. Barnard v. Willard, 153 App., 42.

The act requires the Appellate Court to give such judgment as, in its opinion, the Municipal Court should have entered. Lewellyn v. Pere Marquette, 185 App., 171. Judgment for defendant reversed and judgment in Appellate Court, for plaintiff, with damages, entered. Buyer's Index Pub. Co. v. Scheidel Coil Co., 152 App., 238.

Where, in a fourth class contract case, the defendant filed pleas

of the general issue, non-assumpsit and nul tiel corporation and set up a counterclaim, it was held that as no written pleadings were necessary, it does not matter that the contentions relied on in the Appellate Court were not shown by the pleadings in the Municipal Court, nor is the Appellate Court concerned with mere matters of practice, but must decide the case upon its merits. Society of St. Stephen v. Sikorski, 141 App., 1.

Under Paragraph 7 of Sec. 23, a judgment will be affirmed even though incompetent testimony has been received unless the Appellate Court is satisfied that the judgment is contrary to the law and the evidence. Roxburgh v. Roxburgh, 162 App., 364; Chicago Copy Co. v. Original Mfg. Co., 162 App., 500.

The Appellate Court will not reverse unless the verdict is clearly and manifestly against the weight of the evidence. C. C. Ry. Co. v. Grossheim, 141 App., 77; M. D. F. V. v. Mueller, 140 App., 621.

Distinction between cases coming from the Municipal and Circuit Courts as to reversal by Appellate Court in case of substantial error, or where the Appellate Court is satisfied that the judgment resulted from such error. C. C. Ry. Co. v. Grossheim, 141 App., 77; Kobrinsky v. Raven, 162 App., 397.

The provision of the Act that it shall be the duty of the Appellate Court to decide a question coming before it on its merits as they may appear from the statement or stenographic report signed by the judge, does not take away from the Appellate Court any right or relieve it from any duty to weigh the evidence which it possesses or which was imposed on it by law in cases coming from the Circuit Court. C. C. Ry. Co. v. Grossheim, 141 App., 77.

In a fourth class case it is the duty of the Appellate Court, under the provisions of the Act, to decide the case upon its merits as they appear from the facts. If, therefore, there are errors in the holdings of the trial court or the propositions held or refused as law, such errors may be disregarded if they have not prejudiced plaintiff in error, or if they did not affect the decision of the trial court upon the merits. Bradley v. C. & N. W. Ry. Co., 147 App., 397.

See Propositions of Law.

Exceptions.—Not necessary to take exception to judgment where case is tried by the court without a jury. Miller v. Anderson, 269 Ill., 608. See Blake v. De Jonghe Hotel Co., 263 Ill., 471.

Appellate Court.—The Act is not the source of the Appellate

Court's power to review judgments of the Municipal Court. Hosking v. S. P. Co., 243 Ill., 320.

The Act does not regulate practice in the Supreme and Appellate Courts. Clowry v. Holmes, 238 Ill., 577; Hoffman v. Paradis, 259 Ill., 111; David v. Com. Mut. Acc. Co., 243 Ill., 43; Sixby v. C. C. Ry. Co., 260 Ill., 478; Mann v. Brown, 263 Ill., 394.

Arrest Without Warrant.—See Complaint.

Assessment of Damages.—Defendant in default not entitled to have damages assessed by a jury, where the only demand for a jury was that filed at the time of entering defendant's appearence and the damages were liquidated. Mann v. Brown, 263 Ill., 394; Weil v. Fed. L. Ins. Co., 264 Ill., 425, 434.

Mann v. Brown, supra, distinguished, it being held that defendant was entitled to have damages assessed by a jury because they were unliquidated. (This opinion must have been rendered under a misapprehension, as no jury fee was paid or demand for jury made at the time of appearance.) Trinity v. Marie, 192 App., 222.

Where it was claimed that judgment was entered on an affidavit of claim without hearing the evidence thereon, held it will be presumed the court heard such evidence as it deemed sufficient to assess the damages, as in Sec. 43 it is required to do even in case of default. Woodard v. A. C. S. Co., 172 App., 211.

Where the jury is only sworn to assess damages, so much of the verdict rendered by the jury thereafter as finds the issues for the plaintiff much be disregarded. Flora v. Fields, 156 App., 341.

Where, in a tort case, the damages are unliquidated and the affidavit of plaintiff's claim states that he is the plaintiff in a suit for damages as set forth in the statement of claim and that he claims damages amounting to a certain amount, it is error to assess the damages at the amount there stated without further evidence. Sullivan v. Wolf, 192 App., 365.

Same in contract case where damages are unliquidated. Trinity v. Marie, 192 App., 222.

The demand for jury trial filed at the time of entry of appearance is not equivalent to a demand that damages on default be assessed by a jury. Mann v. Brown, 263 Ill., 394.

Defendant defaulting after affidavit of merits has been stricken is not entitled to a jury to assess the damages where he does not,

after the default, demand that the damages be assessed by a jury. Saunders v. Fox, 178 App., 309.

Judgment may be entered by default for full amount of plaintiff's claim, after striking of affidavit of merits, without damages being assessed by a jury, even though a jury demand has been filed. Edson Keith v. Keevan, 183 App., 187.

Where a demand for trial by jury was filed, and the defendant was thereafter defaulted, but no demand for a jury after default on the assessment of damages is shown by the record, held that the damages were properly assessed by the court, even though it appears that after default the case was referred to the court to assess damages "over objection and exception by the defendants." This objection amounted to nothing more than a general objection to making any assessment upon the default entered. National Bank v. Claney, 178 App., 427.

When an affidavit of merits is properly stricken, the defendant defaulted and damages assessed by the court without a jury, the Municipal Court being the sole judge of its rules of practice, the judgment must be affirmed. Dubois v. Greenbaum, 159 App., 452.

Attachment.—Court has jurisdiction of first class attachment in aid or where the damages are unliquidated. Meglemry v. Gebhardt Co., 187 App., 14.

The Municipal Court in the Second District has no jurisdiction in attachment suits where no property is levied upon, where the defendant is a non-resident and the garnishee is served with process in the First District. Jackson Co. v. R. I. & S. Co., 141 App., 453.

Bastardy.—The Municipal Court has complete jurisdiction in. P. v. Hill, 152 App., 78; P. v. Anders, 173 App., 561.

When defendant must be found in city. P. v. Michael, 189 App., 495.

See Complaint.

Capias ad Satisfaciendum.—Proper forum to determine whether properly issued is Municipal and not County Court. Allen v. Roughan, 175 App., 395.

Chief Justice.—May prescribe abbreviated forms of orders and judgments. Chicago v. Coleman, 254 Ill., 338; Stein v. Meyers, 253 Ill., 199.

City Court.—Municipal Court is in all essential respects a City

Court. Hosking v. S. P. Co., 243 Ill., 320; Miller v. P., 230 Ill., 65; P. v. Olson, 245 Ill., 288; Wilcox v. Conklin, 255 Ill., 604. But see Class or Grade of Court under Constitution.

The words "the courts of record of the county" do not include city courts. Ladies of Maccabees v. Harrington, 227 Ill., 523.

Civil Service.—Deputy clerks of the Municipal Court are to be appointed by the clerks and when appointed are to be under the control of the judges of the court. They are not subject to the civil service law governing certain other employes of the City of Chicago. McGann v. P., 227 Ill., 567.

The same rule applies to deputy bailiffs. McGann v. P., 228 Ill., 203.

Class or Grade of Court Under Constitution.—(Force and effect of judgments of courts of the same class or grade shall be uniform:)

The Same As Other City Courts.—"It is in all essential respects a city court." Hosking v. So. Pac. Co., 243 Ill., 324.

"There is no substantial or material difference between the terms 'city court' and 'municipal court', both of which are courts of the municipality in which they are established, and the municipal court of the City of Chicago is one of the courts which Sec. 1 of Art. 6 provides may be created by law in and for cities and incorporated towns." (Miller v. P., 230 Ill., 65; Hosking v. Southern Pac. Co., 243 id., 320; Chicago Terminal Ry. Co. v. Greer, 223 id., 104). That article covers the whole judicial power of the people of the State and is the source of all legislative authority respecting courts." P. v. Olson, 245 Ill., 294.

"If the municipal court is a city court for the purpose of its creation and to enable it to exist at all, it must be regarded as a city court within the terms of the appellate court and practice Acts. The Legislature did not derive power to create that court from the amendment, which is Sec. 34 of Art. 4 of the Constitution, but from the authority conferred in the Constitution to create courts in and for cities and incorporated towns." P. v. Cos. Ins. Co., 246 Ill., 447.

"The authority to create and establish the municipal court of Chicago is derived alone from that Section (Sec. 1 of Art. 6) of the Constitution and not from the amendment of 1904." Wilcox v. Conklin, 255 Ill., 607.

The municipal court is "substantially the same, in jurisdictional

features, as the courts held under the City Courts Act.'' Chicago v. Knobel, 232 Ill., 114, 115.

See also Franklin v. Westfall, 273 Ill., 402.

Different from Other City Courts.—''If the Municipal Court is considered in its entirety it is impossible to assign to it a place identical with the grade or class of any other court, which now exists or ever has existed. The court goes under the generic name of a city court, but it belongs to a specific class different from the city courts created under the general City Court Act.'' Lott v. Davis, 264 Ill., 277.

Quaere.—Shall the decisions prior to Lott v. Davis, *supra,* be given full effect? Shall we conclude, following those decisions, that every court in the State must be placed in one of the classes mentioned in Section 1 of Article VI? That Section provides that the judicial powers of the State shall be vested in one Supreme Court, circuit courts, county courts, justices of the peace, police magistrates and in such courts as may be created by law in and for cities and incorporated towns, a provision that the court has held ''covers the whole judicial power of the people of the State and is the source of all legislative authority respecting courts.'' Or shall we now conclude from Lott v. Davis that a class or grade of courts unique and nondescript has been established not within the purview of that Constitutional provision? May not a federal question be raised on the theory that those persons that have purchased at execution sales have acquired vested property rights, which, under the Constitution of the United States, cannot be divested by a decision of a State Supreme Court, reversing its former decisions? (See Gelpcke v. Dubuque, 1 Wall., 175; Harmon v. Auditor, 123 Ill., 122.)

Complaint.—Must be sworn to in order to authorize issuance of warrant for arrest of defendant. Chicago v. Williams, 254 Ill., 360.

When defendant is brought before the court on complaint, the procedure thereafter is purely civil in its character and is not any different from a like proceeding commenced by summons. Id.

May stand as a statement of the plaintiff's claim. Id.

Is sufficiently definite and certain enough, though different offenses are charged in the disjunctive, that is to say, the word ''or'' is used several times in the complaint where the word ''and'' should have been used. Id.

If not sufficiently certain and the defendant desires a more specific statement, his remedy is not by motion to quash, but by a motion

for a rule for a more specific statement. Id.; Chicago v. Meyers, 183 App., 345; Chicago v. Baranov, 189 App., 25.

Need not be sworn to if suit is brought by city prosecutor. Chicago v. Tearney, 187 App., 441.

Seal of court need not be attached to jurat signed by clerk. P. v. Schleig, 185 App., 480.

Judge need not indorse complaint in bastardy where order of court recites finding of probable cause for filing and issuance of warrant. Id.

Sufficient where complaint charges defendant with violating ordinance described by its section number and specifically setting forth acts he is charged with doing. Chicago v. Varanov, 189 App., 25.

Typographical error as to year immaterial. Chicago v. Montgomery, 191 App., 558.

In a complaint for violating a city ordinance, it is not material that the complaint stated that the complaining witness, a police officer, saw the offense committed and that this statement was not proven. The true question was whether the offense was committed, not whether the officer saw it. Chicago v. Kline, 161 App., 16.

Where defendant is arrested without warrant, the taking jurisdiction of his person on complaint filed is in accordance with Act. Chicago v. Meyers, 183 App., 345; Chicago v. Baranov, 189 App., 25.

It is immaterial that a defendant is arrested without a warrant and that the complaint against him is subsequently filed. Chgo. v. Smith, 159 App., 73; See Lancaster v. Lane, 19 Ill., 242; Mix v. P., 26 Ill., 32; Sloan v. P., 23 Ill., 76.

See Amendments.

Confession of Judgment.—Time for demanding jury where judgment is opened. Morrison H. Co. v. Kirsner, 245 Ill., 431.

Where motion to vacate is overruled within thirty days after date of judgment, and more than thirty days thereafter a motion is made to set aside such vacating order, the court has lost jurisdiction. Gage Hotel v. Kantoos, 185 App., 393; see P. v. Wells, 255 Ill., 450.

Constitutional Law. *Act As a Whole.*—Not unconstitutional because its title does not refer to the creation of the Municipal Court. Riggs v. Jennings, 248 Ill., 584.

The title covers everything in realtion to the creation, organization, jurisdiction and procedure of the Municipal Court. It is not

necessary that it should mention the details of the legislation dealing with the various subdivisions of the subject. Id.

The Act, in the main, is constitutional. Chicago v. Reeves, 220 Ill., 274.

The Act cannot, in view of the decision in Chicago v. Reeves, supra, be held in a tax-payer's suit, to be unconstitutional as a whole. Greenberg v. Chicago, 256 Ill., 213.

Nor in a suit between private parties. Richter v. Burdock, 257 Ill., 410; Gregory Printing Co. v. DeVoney, 257 Ill., 399; Kennedy v. Neeves, 258 Ill., 24; Gifford v. Culver, 261 Ill., 530; Hooper v. Bank of Two Rivers, 263 Ill., 400.

Source of Legislative Power to Create.—The legislature did not derive power to create the Municipal Court from the amendment to the Constitution, but from the authority conferred in the Constitution to create courts in and for cities and incorporated towns. P. v. Cos. Ins. Co., 246 Ill., 442; Wilcox v. Conklin, 255 Ill., 604; Israelstam v. U. S. Casualty Co., 272 Ill., 161.

The Municipal Court is not a constitutional but a legislative court in its origin and is wholly within the control of the legislature creating it. P. v. Olson, 245 Ill., 288.

The Municipal Court is one of the courts which Sec. 1 of Article 6 of the Constitution provides may be created by law in and for cities and incorporated towns. Id.

See further on this subject, Class or Grade of Court under Constitution.

Jurisdiction.—Sec. 2, conferring jurisdiction upon the court in certain criminal cases, does not violate the constitutional provision that the Criminal Court of Cook County shall have jurisdiction in all cases of criminal nature arising in the County of Cook. P. v. Jacobson, 247 Ill., 394.

Sec. 22 does not violate the constitutional provision that all appeals taken in Cook County in criminal and quasi-criminal cases shall be taken to the Criminal Court. P. v. Gartenstein, 248 Ill., 546; P. v. Jacobson, 247 Ill., 394.

All criminal offenses punishable by fine or imprisonment, or both, except where the punishment is imprisonment in the penitentiary, may be prosecuted by information and without indictment under the constitution, and the Municipal Court has final jurisdiction of all such offenses. P. v. Glowacki, 236 Ill., 612.

The Act, in so far as it attempts to confer jurisdiction upon the

Municipal Court to try criminal cases not arising in the City of Chicago, is unconstitutional. P. v. Miller, 230 Ill., 65; P. v. Strassheim, 228 Ill., 581.

Paragraph 6 of Sec. 28, providing for service on defendant outside the city where another defendant is served inside the city, is unconstitutional. Wilcox v. Conklin, 255 Ill., 604.

Judges—Term of Office.—The term of office of the judges of the Municipal Court is six years. Sec. 9 of the Municipal Court Act fixing the terms of office is valid. Such judges are not officers provided for in Article 6 of the Constitution. P. v. Olson, 245 Ill., 288.

Judicial Notice.—Sec. 54 providing that the court shall take judicial notice of all general ordinances of the City of Chicago is not unconstitutional, but the Legislature may enact special rules thereon for the Municipal Court. Chicago v. Williams, 254 Ill., 360.

Act Does Not Regulate Practice in Upper Courts.—That portion of Sec. 20 requiring the Supreme and Appellate Courts to take judicial notice of the rules of the Municipal Court is unconstitutional. Sixby v. C. C. Ry. Co., 260 Ill., 478, Mann v. Brown, 263 Ill., 394.

Sec. 38, providing that no exceptions need be taken in first class cases, is unconstitutional. Blake v. DeJonghe Hotel Co., 263 Ill., 471.

That portion of Sec. 23 limiting right to sue out writ of error to thirty days is unconstitutional. Hoffman v. Paradis, 259 Ill., 111; Goldstein v. Muller, 259 Ill., 237.

The provisions for the review of Municipal Court judgments in the Supreme and Appellate Courts and for the practice on such review are within the purview of the title to the Act (though such provisions are unconstitutional for other reasons). P. v. Cos. Ins. Co., 246 Ill., 442.

Sec. 23, in so far as it attempts to authorize writ of error from Appellate Court in revenue cases, is unconstitutional. P. v. Hib. Bkg. Assn., 245 Ill., 522; P. v. Cos. Ins. Co., 246 Ill., 442.

The provisions of the Act for appeals to and writs of error from the Appellate and Supreme Courts cited arguendo to show that the Act does not regulate practice in the upper courts, and that an act giving circuit courts jurisdiction in drainage district matters may properly provide for appeals from the orders of the Circuit Court thereon. Such provisions as to appeals and writs of error are necessary for the accomplishment of the legislative purpose and do not violate the constitutional provision that no Act shall embrace more than one subject. Kline v. Barnes, 250 Ill., 407; see also Hosking v.

Southern Pacific Co., 243 Ill., 325; P. v. Hib. Bkg. Assn., 245 Ill., 522; Hoffman v. Paradis, 259 Ill., 111.

The provisions of Sec. 22 fixing the time for filing record in the Supreme or Appellate Court on appeal is unconstitutional. David v. Com. Mut. Acc. Co., 243 Ill., 43; Blake v. DeJonghe Hotel Co., 260 Ill., 348.

Paragraph 3 of Sec. 23, providing that the denial of a supersedeas shall operate as an affirmance of the judgment of the Municipal Court, is unconstitutional. Clowry v. Holmes, 238 Ill., 577.

A provision of the Act that seeks to regulate the practice in the Appellate Court is unconstitutional. Id.; Hoffman v. Paradis, 259 Ill., 111; Israelstam v. U. S. Casualty Co., 272 Ill., 161.

(NOTE: It will be noted that in this Israelstam case, the holding of the court does not literally justify the above text as to regulation of practice in the Appellate Court. The court pronounces unconstitutional a provision of the municipal court act—that providing that no appeal shall lie in fourth class cases—without discussion or assignment of reasons other than that they are of opinion that under previous decisions of the court the provision must be held invalid (p. 165), citing cases having to do only with writs of error, there being no mention of the elementary distinction between writs of error, which are new suits started in the upper court, and appeals, which are the same cases as were pending in the lower court, superseded in the lower court by bond there approved and filed. The trend of the decision leads us to assume, however, that the unexpressed reason is that the lower court's entry of an order allowing an appeal and the approval and filing of a bond in the lower court are practice in the upper court, overruling the previously announced doctrine of Kline v. Barnes and Hosking v. Southern Pacific Co., *supra.*)

Disposition of Moneys Collected as Fines and Penalties.—Sec. 58, providing for disposition different from provision of general law, is unconstitutional. Galpin v. Chicago, 269 Ill., 27.

Change of Venue.—Sec. 39 regulating change of venue is unconstitutional. Feige v. Shaeffer, 256 Ill., 493.

Judges, Interchange of.—The provision that judges of county courts may interchange with judges of the Municipal Court is within the purview of the title of the Act. Am. Badge Co. v. Lena Pk. Impt. Assn., 246 Ill., 589.

Special Procedure.—The provisions of the Act making the practice

in the Municipal Court different from the practice in other courts of record in the state, and providing special rules of practice, are constitutional. The right to instruct juries orally or in writing, as the court may, in its discretion, see fit, is upheld. Morton v. Pusey, 237 Ill., 26.

The provision of the Act that the court may make rules for conducting and disposing of cases for which methods of procedure have not been sufficiently prescribed by the Act is not unconstitutional as a delegation of legislative power to the court. Hopkins v. Levandowski, 250 Ill., 372.

Due Process of Law—Striking from Files.—The constitutional guaranty of due process of law is violated by an order striking a statement of plaintiff's claim from the files and entering judgment against plaintiff without any proof, for failure to produce account books. Walter Cabinet Co. v. Russell, 250 Ill., 416.

Jurors.—The provision of Sec. 25 of the Act requiring jurors to be drawn from the body of the county instead of from the City of Chicago, is constitutional. Chicago v. Knobel, 232 Ill., 112.

Such provision does not deprive residents of Cook County outside of the City of Chicago of their property without due process of law, nor does it violate Secs. 9 and 10 of Article 10 of the State Constitution concerning taxation. Id.

Jury Trial—Demand.—The provision of the Act that a defendant, to be entitled to a jury trial, shall make his demand therefor and pay the fee required, is constitutional. Williams v. Gottschalk, 231 Ill., 175; Morrison H. Co. v. Kirsner, 245 Ill., 431.

Assessment of Damages.—The matter of whether damages shall be assessed by the court or a jury is one purely of practice and does not involve a constitutional right. Mann v. Brown, 182 App., 1; see same case in Supreme Court, 263 Ill., 394.

Examination of Adverse Party.—Question of constitutionality of Sec. 33 not involved where plaintiff called defendant as a witness and accepted his testimony as true. Weber v. Levine, 252 Ill., 346.

Abbreviated Forms.—Sec. 62 of the Act is not in itself unconstitutional. Stein v. Meyers, 253 Ill., 199.

Abbreviated froms of orders containing abbreviated words so arranged as not to be intelligible to an English speaking person are in conflict with the constitution. Id.; Chicago v. Coleman, 254 Ill., 338.

Judgment Lien.—Sec. 63, specifying when judgment shall become lien, is not unconstitutional. Lott v. Davis, 264 Ill., 272.

Contempt.—Punishment for contempt rather than an order striking plaintiff's statement of claim and entering judgment by default on defendant's claim of set-off, is the proper remedy. Walter Cabinet Co. v. Russell, 250 Ill., 416.

The right to punish for contempt is inherent in the court according to common law. P. v. Cohen, 163 App., 115.

See Supplementary Proceedings.

Contract.—Where it is claimed that an action to recover for items partly in tort and partly on contract cannot be joined, it was held that the form of the action is of no consequence where the court has jurisdiction of the person of the defendant and of the subject matter of the litigation. Decatur Furn. Co. v. Tousey, 167 App., 536.

Action on contract sustained even though fraud is charged. Arnold v. Dodson, 272 Ill., 377.

Action held to be in contract and that plaintiff was obliged, in Municipal Court practice, to prove case against all defendants. Bank v. Breen, 188 App., 467.

Where, under a statement of claim and the evidence, it was contended that the suit was in assumpsit and that the plaintiff had no right to dismiss one of two defendants sued jointly, it was held on the authority of Edgerton v. C., R. I. & P. Ry Co., 240 Ill., 311, that under the Municipal Court practice the suit might be dismissed as to one defendant without error. Finch v. Wis. Dairy Farms Co., 167 App., 400; Detmer Woolen Co. v. Dixon Trans. Co., 167 App., 408.

It is immaterial whether an action is called one in contract or in tort. Edgerton v. C., R. I. & P. Ry. Co., 240 Ill., 311; Marcus v. C., M. & St. P. Ry. Co., 167 App., 638; Blind v. Griffin, 168 App., 19; Bridges v. Engers, 167 App., 425; C., M. & St. P. Ry. Co. v. Faithorn, 167 App., 420; Steamship Co. v. Crescio, 179 App., 56; Herman v. Foster, 185 App., 97. But see Gillman v. C. Rys. Co., 268 Ill., 305.

The Municipal Court has jurisdiction of a suit in contract to recover more than one thousand dollars to enforce the provisions of the mechanic's lien law. Harty Bros. v. Polakow, 237 Ill., 559.

When action for personal injuries may be brought in. Chudnovski v. Eckels, 232 Ill., 312; Sixby v. C. C. Ry. Co., 178 App., 218, but see same case in 260 Ill., 478.

What is showing of contractual relation in personal injury case. Isbitz v. C. C. Ry. Co., 192 App., 487.

Suit on judgment is not one on contract. Brown v. Gerson, 182 App., 177. Certiorari denied by Supreme Court; but it does not follow that the denial of a supersedeas is an approval of the reasons upon which the Appellate Court bases its judgment. Soden v. Claney, 269 Ill., 98.

Copy of Instrument Sued On.—See statement of claim.

Costs.—Construction of Secs. 57 and 58 as to costs in criminal and quasi-criminal cases. Galpin v. Chicago, 249 Ill., 554.

Criminal Law.—Where an indictment in a case transferred from the Criminal Court of Cook County does not allege that the offense was committed in the City of Chicago, the Municipal Court is without jurisdiction to try the case. Miller v. P., 230 Ill., 65; P. v. Strassheim, 228 Ill., 581.

Criminal offenses punishable by fine or imprisonment otherwise than in the penitentiary may be prosecuted by information. P. v Glowacki, 236 Ill., 612.

Appeal not authorized in criminal case. P. v. Jacobson, 247 Ill., 394.

See Information, Jurisdiction.

Damages.—See Assessment of Damages.

Debt.—In a first class action of debt on appeal bond a judgment merely for plaintiff's damages will not be reversed. The judgment need not be for the debt and damages and costs, the debt to be discharged on the payment of the damages and costs. Cooke Co. v. Burke, 148 App., 155; see Edgerton v. C., R. I. & P. Ry. Co., 240 Ill., 311; Rabb v. Thomas, 137 App., 255.

Default.—Where a defendant in a case of the fourth class enters his appearance in writing and the case is continued, upon the case being called for trial on a subsequent date and the defendant not appearing, it is error to default him. He is entitled to have the cause submitted for trial upon the merits. Hine Bros. Co. v. Adams, 139 App., 92.

The judgment by default after appearance should be judgment nil dicit and not for want of an appearance. Mann v. Brown, 263 Ill., 394.

Default for failure to file affidavit of merits does not admit amount of damages. Brown v. Gerson, 182 App., 177.

Deputy Clerks and Bailiffs.—See Civil Service.

Dismiss, Motion to.—See Abatement.

District.—See Attachment.

Error, Time to Bring.—See Appeals and Errors.

Exceptions, Bill of.—(This title treats of bills of exceptions, technically so called, reports of trials, stenographic reports and statements of facts for review.)

By What Judge to Be Signed.—Sec. 81 of Practice Act enforced in Municipal Court case. P. v. Rosenwald, 266 Ill., 548.

Absence of trial judge from jurisdiction does not authorize another judge to sign bill. Id.

Order extending time within which bill may be signed by trial judge may be entered by court presided over by another judge. Id.

When minute of presentation of bill to other than trial judge is entered thereon before expiration of time limit, trial judge may, after expiration of time, properly sign it and allow it to be filed by *nunc pro tunc* order, provided it is recited therein that the entry of presentation to the other judge was made by the latter while he was presiding in the Municipal Court, and that due diligence has been shown in seeking to have the bill presented to the trial judge before it is presented to the other. Id.; see Ill. Improvement Co. v. Heinsen, 271 Ill., 23.

Where the trial judge is a judge of a city court, the certificate of a Municipal Court Judge to the stenographic report is sufficient, where it is shown to be in the absence of the city court judge "who is not acting as judge of this court at this time," there being no showing that the certifying judge did not act upon competent proof of the disability of the trial judge. Chicago v. Steady, 192 App., 514.

Time and Manner of Signing and Filing.—While the better practice is for a judge, upon receiving a bill of exceptions that he is not prepared to certify as correct, to certify to its presentation to him, stating the date, and when it is certified as correct to date it as of the day of presentation, and direct the entry of an order that it be marked filed *nunc pro tunc* as of such day of presentation, still the signing and filing of it as of the actual date, after the time has expired, will be deemed in apt time if the date of presentation endorsed thereon

shows that it was presented in apt time. Hill v. Guaranty Co., 250 Ill., 242.

A bill of exceptions, though signed by the trial judge, does not become a part of the record unless filed with the clerk within the time fixed by the statute or by order of the court. Coal Co. v. Harder, 144 App., 486.

Where a bill of exceptions is signed by the judge, but not filed with the clerk on the day of such signing, it is possible that it may be ordered filed with the clerk *nunc pro tunc* as of the date of its being signed by the judge. Id.; Hill v. Guaranty Co., 250 Ill., 242.

Circuit Court practice as to time of filing bills of exceptions applies to Municipal Court except as modified by amendment to Municipal Court Act of 1907, providing that a bill of exceptions may be tendered to the judge within sixty days after the entry of judgment, or within such further time thereafter as the court, upon application made therefor within such sixty days, may allow. Haines v. Danderine Co., 248 Ill., 259; see Lakeside F. & O. v. Mut. F. Co., 155 App., 681.

Bill of exceptions may be tendered and signed before judgment. Weil v. Fed. L. Ins. Co., 264 Ill., 425.

There can be no extension of time, even by stipulation to file bill of exceptions by order entered after such sixty days. Haines v. Danderine Co., 248 Ill., 259; Butterick Pub. Co. v. Ft. Dearborn Natl. Bk., 167 App., 603; Zechman v. Zasofsky, 144 App., 483.

Where, after the overruling of a motion for a new trial and the entering of judgment against defendant, the latter moved to set aside the judgment, assigning only such reasons as might have been urged upon the motion for a new trial, and such motion to set aside the judgment, after numerous continuances was overruled, and the defendant thereupon obtained sixty days' time in which to file a bill of exceptions, it was held that the court properly signed a bill of exceptions as to occurrences antecedent to the judgment. Grubb v. Milan, 249 Ill., 456.

Amendment of bill of exceptions by the successor to the trial judge, expressly agreed to, cannot be complained of. Blake v. De Jonghe, 174 App., 129; see same case in 260 Ill., 348.

Bill of exceptions signed November 23d, bearing file mark December 6th, when the trial judge's term of office expired December 4th, is not invalid. Blake v. DeJonghe Hotel Co., 260 Ill., 348.

Different where signed by presiding judge months after presenta-

tion to trial judge and months after latter's resignation from office. P. v. Yario, 194 App., 503.

Where an order, entered May 23d, extending the time for filing a bill of exceptions, gave "fifteen days' extension of time, said period to expire June 7," and the original time to file the bill of exceptions did not expire until May 25th, it was held that had the order not added the statement of the time when the period of fifteen days' extension would expire, it would have been held to expire on June 9th, but with the addition of the words it expires on June 7th. Worthy v. Bush, 160 App., 70.

Where in a first class case the party presenting a bill of exceptions tendered it to the judge within the time allowed, nothing else being shown, the only legitimate inference is that it was presented to and retained by the judge for the purpose of inspection and examination. Here there was nothing upon the record to suggest that after being left with the judge for settlement, it was withdrawn by any one, but the judge did not sign it until afterwards, and it was not marked filed with the clerk until after the expiration of the time allowed. The bill of exceptions could not be stricken from the record. Banker v. Miller, 148 App., 182.

Banker v. Miller, supra, expressly overruled on the theory that it is in conflict with Haines v. Danderine Co., 248 Ill., 259; Tomaszewski v. Anderson, 162 App., 211. But see Hill v. Guaranty Co., 250 Ill., 242.

The Municipal Court is without jurisdiction to extend the time for filing a statement of facts by an order entered after the lapse of thirty days from the date of judgment. Lassers v. N. Ger. Lloyd S. Co., 244 Ill., 570; Wilson v. Johnson, 178 App., 385; Devine v. Ins. Co., 156 App., 477; Buell Tr. v. Trainer, 157 App., 179; Hasselgren v. Esser, 152 App., 7; the same is true even upon stipulation of parties to extend the time. Wurlitzer Co. v. Dickinson, 247 Ill., 27; see Hershowitz v. Royal Tailors, 152 App., 10; Smedley v. Am. Constr. Co., 181 App., 461; Lemp v. Alliance Co., 192 App., 300; W. W. & C. Co. v. B. M. Co., 192 App., 360.

The court may, within thirty days after final judgment, grant an extension of ninety days within which to file a statement of facts for review. Polish Press Pub. Co. v. So. Plantation Dev. Co., 163 App., 214.

An order extending time to file may be entered by any judge. Fitsch v. Junius, 189 App., 36.

Where presented within thirty days after denial of motion to vacate judgment, held in apt time. Grubb v. Milan, 249 Ill., 456; Western Valve Co. v. Hardin, 181 App., 414.

The fact that the last of the thirty days is a holiday under the Negotiable Instruments Act and is not Sunday, does not give an additional day. Byington v. Chandler, 171 App., 432.

Same, where last day was Lincoln's birthday. Chicago v. Braggio, 187 App., 166.

Same as to New Year's day. Blum v. Brown, 192 App., 70.

Statement of facts not presented in time does not become a part of the record, and cannot be considered on review even though no motion is made to strike it out. Burr v. Co-op. Constr. Co., 162 App., 512.

Where the time for filing a stenographic report expired on August 27 and the judge certified a report as having been signed *nunc pro tunc* as of August 27, "accordingly this 28th day of September" and the document was filed on September 29, but no order was entered ordering it filed as of August 27, the report was filed too late. Gumpert v. Junker, 161 App., 445 (but see Hill v. Guaranty Co., supra).

When tendered to judge in time, may be certified and ordered filed later *nunc pro tunc*. Buyers Index Co. v. Am. Shoe Polish Co., 169 App., 618; Behnke v. Turn Verein, 180 App., 319; Cooke Brew. Co. v. Mitchell, 177 App., 378.

When signed by judge in time but not filed until several months later, because of the negligence of an attorney, a *nunc pro tunc* order that it be filed as of the day of signing is void. Bigley v. Sweet, 185 App., 202; Wilcox v. Ingram, 184 App., 49.

Order extending time to file entered more than thirty days after date of Judgment *nunc pro tunc* as of day less than thirty days is void where the record does not show reason for so filing. Truax v. Emrick, 192 App., 433.

The certificate of a judge, showing the date of signing a statement of facts, cannot be contradicted by affidavit alleging that the certificate was signed after such date, for the purpose of making valid a *nunc pro tunc* order for the filing of the statement entered after the date upon the certificate. C. & R. Lumber Co. v. Garside, 179 App., 40.

Such a correction of the judge's certificate cannot be made by stipulation of counsel after the court has lost jurisdiction of the cause. Id.

Where the trial judge states over his signature that he signed the certificate on a particular day and the certificate is filed after the date for filing has expired, the court must be deemed to have lost jurisdiction. Id.

The proper certificate in such case would be that the document was signed on the actual day of signing *nunc pro tunc* as of the date upon which it was tendered to the judge. Id.

Where the body of the certificate shows that it is tendered in apt time, a signing later as of that prior date is sufficient, even though an affidavit is on file showing such trial judge is absent from the city and another judge certifies that the document was presented to him for signing on such prior date. Mangold v. King, 184 App., 50.

Presumed to have been signed in apt time. Id.

Seal of judge need not be appended to signature. Crandall v. Kirk, 185 App., 460.

Where a stenographic report was, within thirty days after the date of judgment, presented to a judge other than the judge that tried the cause, who endorsed it "presented for signature" and after the expiration of the thirty days the trial judge certified to the record as a correct statement of facts, dated it the day of signing "and entered *nunc pro tunc* as of" the date of presentation to the other judge, held that the report should have been presented to the judge by whom the final judgment was entered, except in the event that such trial judge was unable to act by reason of death, sickness or other disability, which should have appeared from the record. The report was stricken from the record. Carter v. Mines, 176 App., 72.

Where the certificate of the judge to a statement of facts recited that the statement was presented by the defendant pursuant to an order extending the time for filing such statement, but no such order extending the time appeared in the record, it was held that there was no legal extension of time. Such recital in the certificate is not the equivalent of an order in the record. Ill. B. & M. Co. v. Ilmberger, 155 App., 417.

Statement of facts not filed within thirty days must be stricken from the record. Id.

An additional report of evidence must be signed and filed within the time allowed for the signing of the original report or within such time as the court may, by order entered before the time for signing the original report has expired, grant for the signing of the additional report. Hurford v. Rosie, 151 App., 605.

Practice as to statement of facts or stenographic report. Id.

Methods of Preserving Matters of Record.—No practical difference between bill of exceptions and stenographic report of trial. Miller v. Anderson, 269 Ill., 608.

Not necessary to take exceptions to rulings of trial court to obtain review. Id.

Motions to strike and orders striking affidavits of merits from the files and exceptions thereto should be preserved by bill of exceptions. Mann v. Brown, 263 Ill., 394; Aetna Ins. Co. v. Wadeford, 191 App., 606; Jones v. Roberts, 188 App., 609.

So of petition to vacate judgment. Fleckles v. Film Co., 189 App., 321.

So of petition for change of venue. Macierz v. Czarnecki, 272 Ill., 34. So of bill of particulars, Scola v. Scola, 194 App., 336.

Motion to dismiss for matter in abatement as provided for in Rule 12. Burr v. Co-op. Constr. Co., 162 App., 512.

Sec. 38 does not relieve the complaining party of the duty of preserving by bill of exceptions such matters for review as are not properly part of the common law record. Mann v. Brown, 263 Ill., 394.

Reference, in a bill of exceptions, to an affidavit on file does not make it a part of bill of exceptions. Burke v. Chicago, 185 App., 228.

Sec. 38 is unconstitutional. Blake v. DeJonghe, 263 Ill., 471.

Is duty of party seeking reversal to submit document containing facts, whether offered in evidence or noticed judicially, such as city ordinance. Chicago v. Moran, 192 App., 57.

On the authority of Blake v. DeJonghe, 263 Ill., 471, subdivision 8 of section 23 of Municipal Court Act is unconstitutional. Photo. Co. v. Amer. Film Co., 190 App., 124.

Stipulation of facts on file not part of statement. Olson v. Pa. Co., 184 App., 60.

City ordinance, referred to in complaint merely by its number, cannot be called to attention of appellate court unless it is embodied in the record. Otherwise it will be presumed that the omitted ordinance justified the court's ruling. Chicago v. Tearney, 187 App., 441.

Statement must contain contract where court's finding in reference to it is assigned for error. Pedroff v. Vasil, 182 App., 375.

Errors assigned on the admission and exclusion of evidence cannot be considered unless the statement shows what evidence was admitted and excluded. Id.

No objection that exhibits appear after instead of before Judge's signature to stenographic report, if properly identified in the report. Crandall v. Kirk, 185 App., 460.

Construction of Language of.—The Appellate Court must presume that the Municipal Court in its statement of facts, made for the express purpose of permitting review, states material and not immaterial facts. So if the value of goods is stated, their value in that one of two points of shipment where their value is material will be deemed intended. Mahaffey v. W. C. Ry. Co., 147 App., 43.

What Sufficient.—A statement to which is appended a certificate of the judge "that the foregoing is a correct statement of the facts appearing upon the trial of this cause, together with the questions of law involved and the decisions of the court upon said questions of law," is sufficient in form. It is certified to be a correct statement of "the questions of law involved" and if so it must state all the questions of law involved. Lange v. Cole, 140 App., 545.

Certificate to stenographic report that it contains "all the evidence and testimony offered, heard or received on the hearing of the above entitled cause." Jacobs v. Jurgensen, 191 App., 67.

A document in the form of a stenographic report of the proceedings at the trial certified to be a full, true and correct statement of all the facts and evidence introduced or offered by any of the parties and all questions of law involved in the case, and of all the proceedings had in the cause, and certified to contain all the evidence and showing on its face the objections made and the rulings of the court upon motions and the propositions of law marked held and refused, held to be a substantial compliance with the law. Fritsch v. Junius, 189 App., 36.

Statement of facts—substantial compliance with statute. Lund v. Dole Valve Co., 185 App., 350.

Stenographic report—substantial compliance with statute. Cooke Brew. Co. v. Mitchell, 177 App., 378.

Document certified to as containing all the evidence heard may be treated as stenographic report and sufficient even though it is certified to be a statement of facts. Chicago v. Steady, 192 App., 514.

A document entitled "transcript of proceedings," purporting to be a full and complete transcript of all the proceedings in the cause that did not appear of record, though not entered as it should be nor certified to be a stenographic report, may nevertheless be considered, in compliance with the act, a correct statement of proceedings in the

case which plaintiff in error desires to have reviewed. Jung Brg. Co. v. Grimm, 162 App., 564.

Where the trial judge certified that the stenographic report of the evidence contains "all of the evidence presented at the hearing of said cause," it is, while informal, equivalent to and fulfills the essential and material functions of the stenographic report provided for in Sec. 23. Lewis v. Richheimer, 157 App., 231.

Certificate to document that it is a "correct stenographic report of proceedings in said cause" is sufficient. Crandall v. Kirk, 185 App., 460; Mangold v. King, 184 App., 50.

In a case tried before a jury where the record shows that a motion for a new trial was made, it is sufficient under the provisions of the Act to bring before the Appellate Court the question of sufficiency of the evidence, although it does not appear in the bill of exceptions that such a motion was made. Haggerty v. Sans Souci Skating Rink Co., 152 App., 202.

An instrument incorporated into the transcript and designated a bill of exceptions, purporting to set out the proceedings "on the hearing" of the cause without a jury and stating that "the defendant introduced the following evidence" and then setting out questions of counsel and answers of the witnesses and concluding with the statement of the plaintiff's counsel "we rest," then setting out the testimony of the defendant and concluding with the statement of defendant's counsel, "that is all," then stating that the plaintiff was recalled and gave testimony therein set forth and that at the close of his examination plaintiff's counsel again said "we rest," must be regarded as the substantial equivalent of a "stenographic report of the evidence and proceedings on the trial." Samuels v. Life Assn. of Am., 152 App., 245.

Where, at the commencement of the bill of exceptions, it is stated that "on the trial of this case the following proceedings were had," and later therein that the statement in question here contains all the evidence, the document should not be stricken. Zustovich v. Morrison, 151 App., 526.

A statement that it is "a correct statement of the facts appearing upon the trial * * * and the decisions of the court," omitting therefrom the statement that it contains all questions of law involved in the case and the decisions of the court upon such questions of law, is sufficient. Schreiber v. Straus, 147 App., 581.

What Not Sufficient.—Where a document is certified to be "a correct statement of the facts appearing on the trial of the foregoing

cause and of all questions of law involved in said cause and the decisions of the court upon said questions of law," and an examination of the document shows that it is a statement of the evidence offered in the case on direct and cross-examination of the witnesses, it is not such a statement of facts as is contemplated by the act. Rosenfeld v. Pomerantz, 182 App., 341; Frankenstein v. Weber, 188 App., 573; Columbia Ins. Co. v. Loebs Ins. Agency, 187 App., 289; Grandt v. Kirkeby, 185 App., 312.

Although the judge certified that the report contained "all the evidence offered and received," nevertheless, as it appeared affirmatively that other evidence was heard which probably bore on the question at issue which was not contained in such report, it was held that such omitted evidence must be held sufficient to sustain the judgment. Schaefer v. Eiger, 157 App., 206; Herch v. Lazzarini, 192 App., 462.

Where the plaintiff and each of two defendants severally presented documents each termed the statement of facts of the party presenting it, which contained a recitation of the testimony of several witnesses, was not certified to be correct, and did not contain the questions of law and the decision of the court thereon, the documents were stricken. Englewood S. & D. Co. v. Goetzinger, 187 App., 18.

A document certified to be a "statement of the facts disclosed by the evidence in the cause," but which in fact is neither a bill of exceptions nor a stenographic report of the proceedings at the trial, but is a statement of the evidence offered at the trial and includes in detail the evidence in a narrative form, giving the direct and cross-examination of the witness and certain admissions made upon the trial, and to which is appended a statement of the questions of law involved in the case, does not comply with the intent of the statute, in that it is a statement of the evidence instead of being a statement of facts. Schiavone v. Deddo, 179 App., 91.

Where the judge did not certify that the document was a correct statement of facts appearing upon the trial and of the questions of law involved and of the decisions of the court thereon, and the document is designated "a correct statement of facts of the proceedings had on the trial of said cause and a correct statement of such other proceedings in the case to be reviewed," the document was stricken from the files as not complying with the statute. Cohn v. Lewis, 176 App., 272.

Where what purports to be a correct statement of facts is merely a statement that a witness gave testimony in relation to certain things,

it is not a statement of the facts as required by the law. Kellogg v. Chicago, 176 App., 136.

Where at the end of what purported to be a transcript of the evidence were the words "which was all the evidence offered or adduced on the above trial," followed by the written name of the trial judge, it was held that the document did not comply with the statute. Lenhardt v. Stein, 178 App., 420.

A document filed in a fourth class case certified by the trial judge as a bill of exceptions, held not to be such because there is no provision for the same in a fourth class case. Such document not being a stenographic report or statement of facts, the record does not bring before the Appellate Court for review anything but the common law record. Internatl. F. Co. v. Rosati & Co., 156 App., 339.

A document certified to be a correct statement of the facts appearing on the trial is not a statement of the facts, as required by the Act. Storms v. Murphy, 183 App., 179.

A document termed a "statement of facts," but which is a mere narrative of testimony or its substance, does not meet the requirements of the statute. Chicago v. Niesdesmialek, 190 App., 109.

A statement signed by the judge purporting to be "a substantially correct statement of the facts which appeared to be proven" is not a proper compliance with the statute which calls for a correct statement of facts. Schumacher v. Claney, 152 App., 37.

If the parties are unable or unwilling to rely on the facts as the court finds and states them, then the statute affords an alternative: either party may present a correct stenographic report of the proceedings to be signed by the judge. Id.

Such a statement cannot properly be called a bill of exceptions. Id.

Provisions of the Act authorizing a correct statement of the facts appearing on the trial means not only the facts which the trial court found from the evidence, but the substance of the evidence as given by each witness. The Appellate Court should not be bound by the conclusions of the trial court as to the facts. Zibbel v. W. Steel C. & F. Co., 152 App., 80.

A certain instrument held not to be either a correct statement of the facts appearing upon the trial and of all questions of law involved, or a correct stenographic report of the proceedings at the trial. Hurford v. Rosie, 151 App., 605; P. v. T. G. & S. Co., 156 App., 488.

A document designated by the clerk a bill of exceptions, but held

not to be such and not a clear statement of the facts appearing on the trial or a clear stenographic report, stricken from the record. Seehausen, W. & Co., v. Interstate S. & I. Co., 150 App., 179; Levy v. Frohlich, 172 App., 170.

Errors assigned upon a document designated a statement of fact, but neither such nor a stenographic report, cannot be considered. Allen v. Roughan, 175 App., 380.

Document called "certificate of evidence," containing proffer of an affidavit of merits, not considered, there being no authority for such certificate in the Municipal Court Act. Id.

A document certified by a trial judge to be a "true and correct statement of the facts appearing on the trial of this cause" and "of the questions of law involved in this case and of the decisions upon such questions of law by the court" is neither "a correct statement of the facts appearing upon the trial and of all questions of law involved in said case" nor "a correct stenographic report of the proceedings of the trial" within the meaning of said words as used in the Act, where it contains no finding of facts, but only sets forth certain evidence and certain rulings of the court on questions of evidence, and is not certified to contain all the evidence. With such a document the Appellate Court cannot consider an assignment of error that the finding is contrary to the evidence. It is sufficient to bring before the Appellate Court for review rulings of the court on questions of evidence. Booth & Co., v. Steffey, 150 App., 584.

Official Stenographer.—Act does not require court to have a stenographer present at trials to takes notes of the evidence. Bond Co. v. Attractograph Co., 181 App., 513.

See further, Record.

Execution, Stay of.—After approval of ninety days' stay bond, bailiff should return to judgment debtor property levied upon. Kotite v. T. G. & S. Co., 191 App., 555.

Execution of Instrument Sued on.—Proof and Denial of.—See Statement of Claim.

Finding of Court.—The findings of the court as to the facts of a case, where it is tried without a jury, are entitled to the same presumptions as the verdict of the jury. Pinney v. Smith, 136 App., 129; Motor Co. v. Silverberg, 140 App., 451; N. W. Fuel Co. v. W. Fuel Co., 144 App., 92.

A court of review cannot reverse a finding of the court where the case is tried without a jury unless it clearly appears that the finding of facts is manifestly contrary to the probative force of the evidence. N. W. Fuel Co. v. W. Fuel Co., 144 App., 92.

Fines and Penalties in Criminal and Quasi-Criminal Cases.—How Disposed of.—Galpin v. Chicago, 249 Ill., 554; Hoyne v. Danisch, 264 Ill., 467.

Sec. 58, providing for disposition otherwise than as provided by general law, unconstitutional. Galpin v. Chicago, 269 Ill., 27.

First Class.—See Contract; Set-off.

Forcible Detainer.—A writ of restitution in, issues by virtue of rule of court. Hopkins v. Levandowski, 250 Ill., 372.

Where rent is payable monthly in advance, and before the end of a month the lease is terminated for non-payment of rent, the plaintiff in a forcible detainer case, under the provisions of Sec. 48, may unite with his claim for possession a claim for rent or damages to the end of such current month, and if judgment in forcible detainer is rendered before the end of such month, the court may stay the writ of restitution until such month's rent is earned. Garage Co. v. Grand Blvd. Rink, 153 App., 45.

The Municipal Court has jurisdiction, more than five and less than thirty days after final judgment in a forcible detainer case and after the writ of restitution has been served, to vacate the judgment. Weinberg v. Oblak, 162 App., 617.

A summons in a forcible detainer suit must be served upon the defendant personally. Service by delivery to a person of the family of the defendant is not sufficient. Sherman v. Green, 152 App., 166; Naughton v. Anderson, 155 App., 504; Weinberg v. Oblak, 162 App., 617.

Under the Municipal Court Act a plaintiff in forcible detainer may unite with his claim for possession a claim for rent. Bartzen v. Schroeder, 151 App., 629; Lunkes v. Gluljich, 182 App., 116.

Up to what time rent may be recovered in such case. Bartzen v. Schroeder, 151 App., 629.

Information.—*What Cases May Be Prosecuted by; Jurisdiction.*—Petit larceny could not, prior to the amendment of 1911 to the Infamous Crimes Act, be prosecuted by information. P. v. Russell, 245 Ill., 268; P. v. Perry, 156 App., 466.

A nuisance may be prosecuted by information, the provisions of the statute for abatement thereof in case of conviction not being punishment in addition to the fine and imprisonment. P. v. Archibald, 258 Ill., 383.

The Municipal Court has no jurisdiction to try a cause or find a defendant guilty of petit larceny where the information charges grand larceny. P. v. Whitman, 243 Ill., 471.

The Municipal Court has jurisdiction to try on information all violations of criminal laws punishable by fine or by imprisonment otherwise than in the penitentiary. P. v. Glowacki, 236 Ill., 612; P. v. Yon, 173 App., 651.

Verification, Leave to File—Waiver.—Although the abstract of record in the Appellate Court does not disclose that the information was verified by a private person or that it was filed by any person other than the attorney general or state's attorney or that it was endorsed by a judge of the Municipal Court, still such irregularity, if it existed, was waived by the defendant entering a plea of guilty to the information. P. v. Paul, 167 App., 557.

It is not required that the information should show on its face that the court examined the person presenting the same and required other evidence. All that is necessary is that a judge shall have examined the information and be satisfied that there is probable cause for filing the same and so endorse the same. P. v. Yon, 173 App., 651; P. v. Greenberg, 172 App., 360.

Objection that leave to file information was not given informant or that information was not verified, cannot be taken for the first time in Appellate Court. P. v. Perca, 181 App., 666; P. v. Armond, 172 App., 489.

Such objection waived by submission of cause to trial. P. v. England, 170 App., 587; P. v. Boyd, 170 App., 481.

Where the information does not show on its face that it was signed or verified by the affidavit of the person presenting the same, the court has no jurisdiction to enter judgment thereon. P. v. Blum, 172 App., 493.

Where information was not signed, but the affidavit following it was subscribed and sworn to, and the sufficiency of the information was not challenged in the Municipal Court, the defect is waived. P. v. Conboy, 178 App., 90.

When not presented by state's attorney, it, as well as amended in-

formation, must be verified. P. v. Lee, 185 App., 452; P. v. Fitzpatrick, 192 App., 125.

The objections that an amended information did not have attached thereto such an affidavit as was attached to the original information and that it lacked such an endorsement of a judge as appears upon the original information, not having been raised before trial, were deemed waived on motion in arrest of judgment. P. v. Zlotincke, 152 App., 363.

Where in a criminal case leave is granted to the state's attorney to file an amended information, and the amended information in terms is not in the name of the state's attorney, but in the name of an individual, the information is not the information of the state's attorney. It must, therefore, be verified by the affidavit of the person who presents it. P. v. Nelson, 150 App., 595.

An information is not sufficiently verified when signed in a foreign state if the notary public does not certify that he has authority to administer oaths under the laws of the foreign state. The certificate of the clerk of the County Court following such notarial certificate that the notary public is authorized by the laws of the foreign state to take and certify affidavits is insufficient, as the statute does not provide for such certificate by a county clerk. (Sec. 54 of Mun. Court Act on judicial notice of enacted laws of other states not referred to.) Id.

Amendment.—A variance is not obviated by taking leave to amend the information where the amendment is not made. P. v. Dantuma, 252 Ill., 561.

Two offenses alleged, one in an original and another in an amended information—when objectionable—election. P. v. Jacobson, 247 Ill., 394.

Where leave to amend information was given, it will not be presumed that it was actually amended. P. v. Lee, 185 App., 452.

By the filing of an amended information the original information is superseded and abandoned; P. v. Nelson, 150 App., 595.

The record of the date of filing an information may be amended from judge's and clerk's minutes. P. v. Weinstein, 163 App., 55; but see same case in 255 Ill., 530.

Technical Objections—Waiver.—A purely clerical or technical objection to an information must be taken advantage of by a motion to quash. Krueger v. P., 237 Ill., 357.

Informalities, Whether Fatal.—Where an information stated the

commission of an offense as on the 4th day of August, A. D. 190.., and the defendant took no exception thereto, but pleaded guilty, held that the objection might be first raised in the Appellate Court, and that the judgment should be reversed. P. v. Weiss, 168 App., 502; P. v. Wagner, 172 App., 84; P. v. Burgess, 185 App., 205.

Informality in date of jurat not fatal. P. v. Montgomery, 271 Ill., 580.

Where an information charged an offense as having been committed on July 18, 1909, but was sworn to on July 3, 1909, it was held that it had no validity and should be quashed. P. v. Weinstein, 255 Ill., 530.

Venue.—Stating venue as at the city of Chicago sufficient. P. v. Bennett, 185 App., 316.

Where the venue in the caption of an information is stated as at Chicago, a notarial certificate of a notary public of a foreign state without any venue stated is a nullity. P. v. Nelson, 150 App., 595.

Same Precision as on Indictment.—The same precision is as essential to an information as an indictment. P. v. Weinstein, 255 Ill., 530.

Instructions.—Oral.—The practice of counsel in dividing a continuous and connected oral charge to the jury into paragraphs for the purpose of dissection, criticism and object, is unwarranted. Greenburg v. Childs, 242 Ill., 110; Swancutt v. Livery Co., 176 App., 606; Harmon v. Callahan, 187 App., 312.

"In this case the charge was delivered to the jury orally. In such cases it is not expected that it will be entirely free from criticism in every particular. Where the jury are charged orally it consists of one continuous and connected charge, so that one part will always limit and qualify the other parts, and it is unfair to the court to pick out certain portions of the charge, omitting the other portions which limit and qualify the same, and then insist that the court committed error in is charge to the jury." Zeman v. North American Union, 263 Ill., 304.

The trial judge may instruct the jury orally or in writing in his discretion. Morton v. Pusey, 237 Ill., 26.

Exceptions to oral charge should be specific and point out the portion of the charge objected to. Pecararo v. Halberg, 246 Ill., 95; Briggs v. Joseph, 175 App., 438; P. v. Berg, 185 App., 484; Auto Light Co. v. Auto Supply Co., 189 App., 543.

The fact that certain paragraphs of a connected oral charge are

presented to the court in writing and the court reads therefrom, does not make the charge a written instruction. Lichtenhan v. Prudential Ins. Co., 191 App., 412.

Necessary to comply with Rule 8 by objecting before jury retire to obtain review of instructions in upper court. Arnold v. Dodson, 193 App., 62. See same case in 272 Ill., 377.

Plaintiff does not preserve his right to review of rulings on oral instructions by objecting before the jury retire, as required by Rule 8, but he must show to the Appellate Court what the charge is. Napierkowski v. C. T. & T. Co., 181 App., 308.

The objection to the third part of certain instructions and to that portion concerning attorney's fees and that portion regarding set-off is good as to that portion of the charge concerning attorney's fees and set-off, but not as to the other, the court being unable to tell what is meant by the third party of the instructions. Chapman & Smith Co. v Crown Novelty Co., 175 App., 397.

Reference in an instruction to proof in manner and form as charged in plaintiff's statement of claim, even though such statement of claim charges defendant's negligence and it is claimed that the question of negligence is thereby embodied in the instruction, held to be approved by the Supreme Court. Smith v. C. C. Ry. Co., 169 App., 570.

Where a party is given an opportunity by the court to point out alleged errors in instructions and he declines to do so, although advised by the judge of the rule of the Municipal Court requiring such objections to be pointed out before the jury retire, he has no standing so far as this objection is concerned in the Appellate Court. Chicago v. Everleigh, 162 App., 623; Penna. Co. v. Dunham, 185 App., 110; West v. Ranney, 181 App., 424; Grollman v. Lake Geneva Co., 147 App., 332; N. C. & S. Co. v. Mueller, 171 App., 342.

It is not error for a judge, who elects to instruct the jury orally to refuse to give offered written instructions, even if they are correct and applicable to the facts of the case. Hakes v. Aaron, 182 App., 100; Job v. Wallace, 188 App., 485; P. v. Berg, 185 App., 484.

The right of the trial judge to give oral instructions applies to first class cases as well as all others in the Municipal Court. Kraft v. Jefferson, 150 App., 110.

Applies to bastardy cases. P. v. Lamberg, 160 App., 644.

Not necessary to present written motion in asking for directed verdict. Jeffris v. Ayer, 184 App., 533.

Where it is apparent that substantial justice has been done and

the jury could not reach any other result from the evidence the Appellate Court will not reverse because the Municipal Court may have refused instructions that might with propriety have been given. C. C. Ry. Co. v. Kastrzewa, 141 App., 10.

Interrogatories.—Answers to, filed under Sec. 32, have no more force than oral testimony or depositions, and are not to be considered apart from other testimony that may qualify such answers. Hately v. Kiser, 253 Ill., 288.

A statement in an answer to an interrogatory under Section 32 cannot be accepted as proof where the same witness testifies orally that he has no personal knowledge of the matter in question. Id.

Are not pleadings. Answer cannot be used in support of motion to dismiss suit but may be introduced in evidence on trial. Rielly v. N. P. F. Co., 192 App., 395.

Admissions in answer cannot be construed as a waiver of jury trial. Id.

Answers to may aid a defective statement of a cause of action in a statement of claim. Welch v. Newbold, 184 App., 36.

Rule providing that on default of defendant to comply with order to answer plaintiff's interrogatories, the court may strike the affidavit of merits from the files and enter judgment, is void. Adjustment Co. v. Atkinson, 180 App., 296.

Defendant cannot be defaulted for failure to answer interrogatories. Id.

See Adverse Party, Examination of.

Joint Liability.—Where there is no plea or affidavit denying joint liability of defendants, plaintiff is not obliged in the first instance to prove same. (Mun. Court Act, not referred to.) Strohm v. Holzman, 151 App., 617.

Judgment against one of two jointly liable and setting same aside in thirty days held not release of other. Sayrs v. Yangas, 187 App., 23.

Judges.—Judges of county courts may interchange with judges of the Municipal Court. Am. Badge Co. v. Lena P. Impt. Assn., 246 Ill., 589.

So many judges of other city courts. Gregory Printing Co. v. Devoney, 257 Ill., 399; P. v. Fitzpatrick, 192 App., 125.

The term of office of judges of the Municipal Court is six years. P. v. Olsen, 245 Ill., 288.

Sufficient for placita to show that presiding judge was the county judge of a foreign county sitting in the Municipal Court at the request of the judges of the Municipal Court. Bond Co. v. Attractograph Co., 181 App., 513.

A judge of a city court is a municipal officer within the meaning of Sec. 11 of Article 9 of the Constitution. Wolf v. Hope, 210 Ill., 50.

Manner of grouping names of candidates for judges on ballot. P. ex rel. Frole v. Czarnecki, 256 Ill., 567.

Judgment, *What Final*—The word "order" includes *final.* Chicago v. Coleman, 254 Ill., 338.

Lien.—A judgment of the Municipal Court did not become a lien on real estate where transcript was filed with the recorder, but no execution was issued. Lott v. Davis, 264 Ill., 272.

See further on lien of judgment, Class or Grade of Court under Constitution.

Record.—Must be sustained by record according to ordinary practice of common law courts. Gillman v. C. Rys. Co., 268 Ill., 305.

Petition to vacate not part of record unless in bill of exceptions. Fleckles v. Film Co., 189 App., 321.

Payment to Clerk.—The payment of a judgment by the defendant to the clerk of the court cannot, without plaintiff's acceptance thereof, defeat his rights, as where the amount of the judgment was reduced by the court's improper entry of a remittitur over plaintiff's objection. Hesse v. Zaffke, 183 App., 160.

Satisfaction, Striking from Files.—Court may, on motion, strike from files assignment of judgment and satisfaction piece. Bergh v. Crosby, 186 App., 195.

Motion to Vacate.—When Court Loses Jurisdiction.—The effect of a motion to vacate judgment and grant a new trial and the continuance of that motion is to stay the judgment pending the motion. Hosking v. S. P. Co., 243 Ill., 320; Freish v. Spaulding, 146 App., 228.

A motion to vacate a judgment, even though no motion is made for a new trial, stays the judgment until the motion is disposed of. The time to file bill of exceptions showing proceedings on the trial begins to run from the time such motion is overruled. Grubb v. Milan, 249 Ill., 456.

The Municipal Court has the same power over its judgments for thirty days as circuit courts have during the term at which rendered, and the parties have the same rights. Id., P. v. Wells, 255 Ill., 450.

Where a motion to vacate a judgment is made within thirty days after its rendition the court may retain jurisdiction to pass upon the motion after the expiration of the thirty days, by successive orders of continuance of the motion, but upon the denial thereof after such time, the court loses jurisdiction and cannot entertain a motion to set aside the order denying the motion to vacate. P. v. Wells, 255 Ill., 450; Gage Hotel Co. v. Kantoos, 185 App., 393.

Where, within thirty days after judgment, a second judgment was entered, different in form from the first, the second was held to be a modification of the first and the only final judgment in the case. Swanson v. Smith, 185 App., 440.

Where two defendants had been brought before the court, one of them defaulted and final judgment rendered against him, and more than thirty days thereafter a verdict and judgment were rendered against the other defendant, and more than thirty days after such latter judgment an order was entered setting aside both judgments, the first because it had been prematurely entered and before the issue had been submitted to a jury and that it was therefore void, and the second judgment because not in form such a judgment as should have been rendered, held on writ of error that the Municipal Court was without jurisdiction to enter the order setting aside the judgment because more than thirty days thereafter. Such order and the two judgments were all reversed and the cause remanded. Tosetti Brg. Co. v. Wagner, 168 App., 27.

Where, in an attachment suit, the garnishee files its answer, denying indebtedness, and the record shows that immediately after the entry of the judgment against the defendant the court proceeded to try the garnishment issues, held that the judgment against the garnishee was irregular, because it was entered without fixing a date for the trial of the garnishment issues. White Oak Coal Co., v. Beck, 176 App., 86.

A judgment of the Municipal Court is final after the expiration of thirty days from its rendition. The court loses jurisdiction over the parties, the subject matter and the case with the expiration of said thirty days the same as the Circuit Court does with the expiration of the term at which the judgment is rendered. Roblin v. Ill. C. of Com., 155 App., 420.

Petition to Vacate.—Court may set aside judgment by confession after thirty days if motion is supported by petition showing equitable

grounds. Schmalhausen v. Zukowski, 183 App., 305; Simco v. Mankowitz, 184 App., 506, and 190 App., 632.

Where judgment is vacated on petition filed after thirty days from date of judgment, and plaintiff appears and takes part in a new trial, he waives his right to object to the order setting aside the judgment. After the cause is opened plaintiff should not appear at all or at most should have confined himself to the resistance of any action proposed by the defendant, if he desired to preserve his right to object to the order setting aside the judgment. Lox v. Bradley, 179 App., 1.

Petition to vacate judgment after thirty days is in the nature of an equitable proceeding. Where such a petition has been denied, a bill in chancery praying the same relief will not lie. Hoff v. Am. Development Co., 183 App., 192.

If sufficient excuse for not appearing before default entered is not shown, petition will be denied. Post Falls Co. v. Messer, 183 App., 309.

On petition to vacate a judgment under Sec. 21, the action of the court will be largely controlled by the promptness with which the application is made and by the consideration whether or not the irregularity is one which could have operated to the prejudice of the applicant. Id.

What irregularity will justify a petition to vacate judgment under Sec. 21. Id.

Order vacating dismissal for want of prosecution entered more than thirty days after dismissal, reversed because not on petition. Steudle v. Manthie, 185 App., 576.

Where it was contended in a wife abandonment case that the court could not change the allowance for the support of the wife from time to time as the circumstances may require, as provided in the wife abandonment act, because the Municipal Court Act provides that the court shall not be permitted to change any final order after thirty days from the entry thereof, it was held that in changing an order made with respect to an allowance for the support of a defendant's wife as the circumstances may require, the court would necessarily be moved by equitable considerations, and that Sec. 21 of the act, allowing such change to be made upon setting forth grounds for vacating, setting aside or modifying the same which would be sufficient to cause the same to be vacated, set aside or modified by a bill in equity, vests ample authority in the court to order such changes in the allowance to the wife as may be deemed necessary. P. v. Golden, 167 App., 458. (The

well recognized rule that equity does not deal with criminal procedure not referred to.)

Where a motion to vacate judgment is entered and passed upon within thirty days after date of the judgment, a petition to vacate under Sec. 21 of the Act filed more than thirty days after the date of the judgment should not be determined. Flora v. Fields, 156 App., 341.

Affidavit in support of, held not to show that cause was not on trial call and published in the daily proceedings of the court. Id.

Amendment.—If an order purporting to amend a record is entered after the thirty days from the date of rendition of the final judgment, it is invalid unless it shows that the court has jurisdiction of the person of the parties by service of notice or appearance and that the court has power to correct the record by reason of the existence of such memoranda as the court requires or otherwise. The service of requisite notice may be presumed while the court has jurisdiction generally over the parties, but not after they have been dismissed without day. Roblin v. Ill. C. of Com., 155 App., 420.

Judicial Notice.—Where the facts admitted on the record show that there was a city ordinance prohibiting a certain offense and that the defendant violated such ordinance, it was held that the Supreme Court was not required to inspect the ordinance itself and the question was not presented as to the proper manner of bringing the ordinance before the Supreme Court. Chicago v. Williams, 254 Ill., 360.

Appellate Court will not take judicial notice of terms of ordinance referred to in complaint merely by its number, but will presume, in absence of copy of ordinance in record, that facts justified ruling of trial court. Chicago v. Tearney, 187 App., 441; Chicago v. Perkinson, 189 App., 630; Chicago v. Cullen, 191 App., 97; Chicago v. Moran, 192 App., 57.

So where city complains of judgment for defendant. Chicago v. Smith, 194 App., 305.

Where it was contended that a city ordinance was not introduced in evidence, the court said: "We are inclined to the view that when the judgments of nisi prius courts are presented to appellate tribunals for review, such appellate tribunals must take judicial notice of all things of which the nisi prius courts are required to take judicial notice." Here the existence of the ordinance was admitted. Chicago v. Williams, supra, followed. Fisher v. Levy Co., 182 App., 393.

Appellate Court refused to take judicial notice of law of foreign

state, Sec. 54 not being referred to. Horvitz v. Fredson, 178 App., 303.

Where ordinance is only collaterally involved. Barry v. Chicago, 162 App., 606; Glickman v. Shallat, 185 App., 115; Chicago v. Openheim, 229 Ill., 313.

It is proper to give an instruction advising the jury of the existence of city ordinance and making it possible to make the ordinance a part of the record by bill of exceptions. Bendik v. Pa. Co., 181 App., 525.

The Supreme Court will not take judicial notice of rules of Municipal Court. Sixby v. C. C. Ry. Co., 260 Ill., 478; Mann v. Brown, 263 Ill., 394.

Where the record did not show that the foreign law was called to the lower court's attention, held that the Supreme Court could not take judicial notice of the existence of the foreign law. Weil v. Fed. L. Ins. Co., 264 Ill., 425.

Where the record does not show either by pleadings or proof that the laws of a foreign state differ from those of this state, the Appellate Court will presume that the same rules prevail in such foreign state as in Illinois. The court must know from the record what was made to appear to the trial court, and cannot go outside of the record as made, and in violation of such presumption say that the enacted law or the common law of the foreign state differs from the law of Illinois. R. M. & Co. v. N. L. Co., 146 App., 371; Ryan v. McArdle, 188 App., 584.

Where suit was brought on a judgment of a justice of the peace of a foreign state, held without referring to Municipal Court provision on taking judicial notice of foreign enactments, that judicial notice will be taken of the laws of a foreign state so far as it may be necessary to ascertain the faith and credit to be given to the judgment. Steele v. Hathway, 183 App., 378.

Where by the local law of a state its highest court takes judicial notice of the laws of other states, the Supreme Court of the United Sates takes judicial notice of them on writ of error. Hanley v. Donoghue, 116 U. S., 1.

Jurisdiction.—*Territorial.*—Jurisdiction for the service of original process is confined to the city limits. Wilcox v. Conklin, 255 Ill., 604.

But the objection of service outside the city limits is waived if not taken advantage of in apt time. Iles v. Heidenreich, 271 Ill., 480.

The court has not jurisdiction to try a case transferred to it by the Criminal Court of Cook County where the indictment does not allege

that the offense was committed within the territorial limits of the City of Chicago. Miller v. P., 230 Ill., 65; P. v. Strassheim, 228 Ill., 581; Ullrich v. P., 137 App., 85.

The court has jurisdiction over the person of a defendant who resides or is found in the City of Chicago. An appearance waives the question of jurisdiction of the person. Dean v. Smith, 146 App., 382; Wolf v. Timmons, 192 App., 121.

Criminal.—The court has jurisdiction of all criminal offenses punishable by fine or imprisonment otherwise than in the penitentiary. P. v. Glowacki, 236 Ill., 612; P. v. Russell, 245 Ill., 268.

The court has jurisdiction in such criminal cases, notwithstanding the constitutional provision that the Criminal Court of Cook County shall have jurisdiction in all cases of criminal nature arising in the County of Cook. P. v. Jacobson, 247 Ill., 394.

The fact that the criminal code provides that one arrested for being a vagabond in the City of Chicago shall be brought before the Municipal Court does not oust the criminal court of Cook County of jurisdiction. P. v. Warren, 260 Ill., 297.

The Municipal Court has jurisdiction of a such a case. Id.

The court has jurisdiction of cases of criminal nuisance, the provisions of the statute for abatement thereof in case of conviction not being punishment in addition to the fine and imprisonment. P. v. Archibald, 258 Ill., 383.

The court has jurisdiction of wife abandonment. P. v. Bos, 162 App., 454; P. v. Golden, 167 App., 458; P. v. Peterson, 172 App., 287.

The court has jurisdiction of criminal cases where the punishment must be both fine and imprisonment. P. v. Manganio, 172 App., 495.

The wife abandonment statute imposing punishment by fine or imprisonment, or both, or providing for the payment of a certain sum weekly for one year to the wife, does not impose a punishment in addition to fine or imprisonment otherwise than in the penitentiary. The weekly payments are not in the nature of a penalty, but merely the enforcement of a legal obligation by summary process. P. v. Golden, 167 App., 458.

The court has no jurisdiction to try a cause or find a defendant guilty of petit larceny where the information charges grand larceny. P. v. Whitman, 243 Ill., 471.

First Class.—The court has jurisdiction of a first class action as on

contract for breach of a contract of carriage resulting in an injury to the passenger. Chudnovski v. Eckles, 232 Ill., 312.

Court has jurisdiction of first class attachment in aid or where damages are unliquidated. Meglemry v. Gebhardt Co., 187 App., 14.

The Court has jurisdiction in a first class action of assumpsit by a sub-contractor who has established his right to a lien against the owner and contractor. Harty v. Polakow, 237 Ill., 559.

The court does not have jurisdiction in a first class action on a judgment. Brown v. Gerson, 182 App., 177. (Certiorari denied by Supreme Court.)

Fourth Class.—Court has jurisdiction of fourth class mechanic's lien cases. Malleable Iron Co. v. Brennan, 174 App., 38; Boothman v. Wulfing, 194 App., 289.

While a County Court (in this respect the same as the Municipal Court) has jurisdiction of an action for damages for injury to real estate in an amount not exceeding $1,000, it has no jurisdiction to enter a judgment deciding a question of freehold. Boyd v. Kimmel, 244 Ill., 545.

Fourth class cases include actions in tort as well as in contract. Maiss v. Met. Am. Co., 241 Ill., 177.

The objection in a garnishment suit that, while the original judgment was for less than $1,000.00, the judgment against the garnishee was for more than $1,000.00, is not a jurisdictional question, but merely a question as to the form of judgment, which should be raised in the trial court. It comes too late upon petition for rehearing in the Appellate Court. Hill Constr. Co. v. C., R. I. & P. Ry. Co., 174 App., 600.

Presumption and Waiver.—Where defective notice by posting appeared in the record of an attachment suit, but the order of default recited sufficient posting, and sufficient time elapsed between the date of such notice and the date of judgment to have permitted another posting, held, under Sec. 51, that jurisdiction must be presumed. Reid v. McGregor, 183 App., 300.

The question of whether the lower court is without jurisdiction to entertain a cause is waived when first raised by petition for rehearing in the Appellate Court. P. v. Krueger, 237 Ill., 357.

Municipal Court not such a local inferior court that no presumption may be indulged in favor of its jurisdiction. Richmire v. Neeves, 182 App., 77.

Not Inferior.—The court is not an inferior court in the common

law sense of the term, but is a court of record of a limited specified jurisdiction. Lakeside F. & O. Co. v. Mut. F. Co., 155 App., 681.

Bastardy.—The court has final jurisdiction of a bastardy case. The Act of February 11, 1907, and the amendment to the Municipal Court Law, adopted in 1907, are in no sense conflicting. P. v. Hill, 152 App., 78.

The Practice Act of 1907 and the amendments of the Municipal Court Act of 1907 were approved on the same day. To reconcile them, provisions in the former act conflicting with those in the latter must be held to be inapplicable to the Municipal Court. Id.

Jurors.—Jurors may be drawn from the County of Cook outside of the City of Chicago. Chicago v. Knobel, 232 Ill., 112.

Justices of the Peace.—The abolition of the offices of constables, police magistrates and justices of the peace is germane to the constitutional provision authorizing the providing of a scheme or charter of local municipal government. Chicago v. Reeves, 220 Ill., 274.

The Municipal Court, being the custodian of the papers and records of former justices of the peace of Chicago, can take judicial notice of such proceedings and receive them in evidence when proffered as such. Joerg v. A. T. & S. F. Ry. Co., 152 App., 229.

It is extremely doubtful whether an act can be made effective in the City of Chicago which requires an acknowledgment before a justice of the peace and the docketing of the same in his docket, there being now no justices of the peace in that city and no law requiring the keeping of a docket for the recording of acknowledgments such as justices of the peace formerly kept. Massie v. Cessna, 239 Ill., 352.

Suit may be maintained in the Municipal Court on a judgment of a justice of the peace. Gorra v. Sobra, 151 App., 288.

Lien of Judgment.—See Class or Grade of Court under Constitution.

Mechanic's Lien.—Court has jurisdiction of mechanic's case. Harty v. Polakow, 237 Ill., 559; Malleable Iron Co. v. Brennan, 174 App., 38; Boothman v. Wulfing, 194 App., 289.

Publication of notice in mechanic's lien cases. Id.

Action on contract by sub-contractor against contractor and owner jointly is only action authorized in the court. Voightmann v. Cross-Conklin, 183 App., 312.

Motion to Dismiss.—See Abatement.

New Trial, Motion for.—See Statement of Facts for Review.

Non-Suit.—A motion for a non-suit is too late if made after the court indicates that it will sustain a motion for a judgment for the defendant. Springer v. Campbell Co., 174 App., 278.

Too late if, in trial before court without jury, motion is made after judge has stated in substance what finding will be but before formal announcement thereof. Yudelson v. Winterberg, 185 App., 454.

The plaintiff may take a non-suit if he requests it after the defendant has moved to instruct the jury to return a verdict in defendant's favor, and the court is about to so instruct, the jury not having retired from the bar. Sroke v. McCready Co., 156 App., 506; Comptograph Co. v. Coey Auto Livery Co., 162 App., 467; Daube v. Kuppenheimer, 272 Ill., 350.

Sec. 70 of Practice Act quoted as governing Municipal Court case, the Appellate Court evidently not having it called to its attention that Sec. 30 of the Act has different provisions as to time of taking non-suit. Custodis Co. v. Aetna Indemnity Co., 160 App., 140.

Nunc Pro Tunc.—When judgment may be entered *nunc pro tunc.* Stein v. Meyers, 253 Ill., 199.

When bill of exceptions may be signed and filed *nunc pro tunc.* Hill v. Guaranty Co., 250 Ill., 242.

See Record.

Oaths.—See Information.

Objections to Proceedings.—Where the whole course of the proceedings in the Municipal Court serves to show that the finding and judgment in favor of one party were made "against the objection" of the other party, they are within the meaning of the Municipal Court Act. Larson v. Schamberg, 148 App., 80; Frank Prox Co. v. Bryan, 162 App., 381.

It must appear that a ruling was made against the objection of the complaining party before it can be attacked on review. Harmon v. Callahan, 187 App., 312.

Ordinance.—Defendant may be imprisoned for failure to pay fine imposed for violation of city wheel tax. Chicago v. Morell, 247 Ill., 383.

Suit for violation of, may be commenced by summons or complaint. Chicago v. Williams, 254 Ill., 360.

May be brought by city prosecutor without sworn complaint. Chicago v. Tearney, 187 App., 441.

Petition to Vacate.—See Judgment.

Pleadings.—Cases of the fourth class are tried without written pleadings. Hopkins v. Levandowski, 250 Ill., 372; Edgerton v. C., R. I. & P. Ry Co., 240 Ill., 311; Post Falls Co. v. Messer Co., 183 App., 309; but see Walter Cabinet Co. v. Russell, 250 Ill., 416.

Statement of claim in fourth class case must set forth cause of action. Gillman v. Chicago Railways Co., 268 Ill., 305; but see Enberg v. Chicago, 271 Ill., 404.

In the Municipal Court it is only necessary to state facts that will sustain the cause of action, without alleging the fiction of a promise implied by law. Arnold v. Dodson, 272 Ill., 377.

Where in a fourth class it was claimed that the plaintiff shifted its theory, it was held that the issues were to be determined without the forms of written pleadings, and there were no pleadings from which the court could say that there had been any change in plaintiff's theory. Nonotuck Silk Co. v. Adams Ex. Co., 256 Ill., 66.

Where statement of claim is in substance and legal effect a common count in assumpsit, plaintiff cannot recover except on showing of complete performance. Levin v. Strempler, 194 App., 299.

In default of a bill of exceptions showing the evidence, it is to be presumed that, whatever the complaint in a suit for violation of a city ordinance, the evidence justified the verdict that the defendant had violated the ordinance and justified the judgment based on the verdict. Chicago v. Moore, 170 App., 163.

Pleadings in fifth class cases considered. Id.

The word "practice" as found in Sec. 34 of Art. 4 of Constitution includes pleading. The court is authorized under Sec. 20 to change the forms of pleadings in first class cases. Weil v. Fed. L. Ins. Co., 264 Ill., 425; A. C. I. Co. v. Yamer, 170 App., 350; Muller v. Bernstein, 183 App., 154.

See Statement of Claim; Affidavit of Merits.

Practice.—The word "practice" is a general term covering modes of trial and review of judgments and transfers from one court to another. P. v. Cos. Ins. Co., 246 Ill., 442.

Includes Pleadings. Weil v. Fed. L. Ins. Co., 264 Ill., 425.

The matter of whether damages shall be assessed by a court or

jury is purely one of practice and does not involve a constitutional right. Mann v. Brown, 182 App., 1; see same case in 263 Ill., 394.

See Pleadings, Rules of Court and Constitutional Law.

Practice Act of 1907.—Not applicable where in conflict with Municipal Court Act. P. v. Hill, 152 App., 78.

Process.—The court having acquired jurisdiction, may send its process in aid of that jurisdiction beyond the city limits and may send its final process outside of the city to enforce collection of its judgment. Miller v. P., 230 Ill., 65; Chicago v. Knobel, 232 Ill., 112.

See Service of Process.

Propositions of Law.—Section 61 of Practice Act applicable. Gallagher v. Madsen, 178 App., 421; Bare v. A. F. Co., 242 Ill., 298.

No questions of law arise in an action tried by the court without a jury, unless propositions of law are submitted to the court and given or rejected by it. Goggin v. W. U. T. Co., 182 App., 387; Mason v. Krag, 191 App., 1.

Where there is sufficient evidence to justify a finding, the Appellate Court will presume, in the absence of propositions of law, that the Municipal Court did not consider any immaterial or improper evidence in reaching its decision. Chicago Portland Cement Co. v. Hofman, 168 App., 71.

Not necessary where rulings of trial court showed what principles of law were applied to the facts. Sleph v. Grossman, 192 App., 67.

It is not necessary, under Paragraph 6 of Sec. 23 to submit propositions of law to enable the Appellate Court to review the judgment. Forbes v. Ry. Co., 162 App., 448.

The defendant having excepted to the finding and to the judgment, it was not necessary to present propositions of law in order to save for review all questions arising on the record. Low v. N. W. Mal. Iron Co., 160 App., 540.

No such legal questions were involved in this case as to necessitate the submission of propositions of law. It is the duty of the Appellate Court to decide cases coming to it from the Municipal Court upon their merits by the application of controlling legal principles to the facts. Siegmund v. Strackbein, 140 App., 454.

Where the facts were not disputed, held that propositions of law were not necessary. Ribbon & Carbon Co. v. Crane Co., 183 App., 392.

It is not necessary to submit propositions to the court to be held

as law in order to raise in the Appellate Court the question of the validity of a city ordinance. Chicago v. Bartels, 146 App., 180.

To preserve questions of law for the Supreme Court in cases in which that court has no jurisdiction to pass on controverted facts in trials without a jury, propositions of law are required; but that is not necessary to enable the Appellate Court, which passes on both law and fact, to consider all questions raised by the assignments of error. Lanski v. C. & N. W. Ry., 181 App., 565; U. S. Brew. Co. v. Wolf, 181 App., 509; L. B. N. S. Co. v. C. C. Co., 178 App., 7; Knox Engineering Co. v. Ry. Co., 264 Ill., 198; Educational Aid Society v. Bush Temple Con. 187 App., 250.

For failure of the trial court to pass on and mark propositions of law, cause reversed. Warden v. McInerney, 184 App., 427; Brew. Co. v. Wolf, 181 App., 509; Levy v. Burkstrom, 174 App., 276.

Does not the procedure on propositions of law affect practice in the courts of review, necessitating uniformity in the municipal and circuit courts? Blake v. DeJonghe, 263 Ill., 471; Photo Co. v. Amer. Film Co., 190 App., 124.

Record.—Defendants' appearance becomes a part of the record from the mere act of filing. Hine Bros. Co. v. Adams, 139 App., 92.

The record of date of filing a criminal information may be amended from judge's and clerk's minutes. P. v. Weinstein, 163 App., 55; but see same case in 255 Ill., 530.

Where the record showed that a cause came on in regular course for trial, the defendant not being represented, it is not necessary that the record also show that the cause was set down for trial. Elliott v. Greene, 172 App., 213.

A bill of exceptions, though signed and sealed by the judge, does not become a part of the record unless it is filed with the clerk. Coal Co. v. Harder, 144 App., 486.

When transcripts to be filed in the Appellate Court in a first class case. David v. Com. Mut. Acc. Co., 243 Ill., 43; Travelers' Ins. Co. v. Leafgreen, 150 App., 155; Bairstow v. N. Y. Life Ins. Co., 148 App., 186.

Document commonly termed a "half-sheet" is not a record but merely a memorandum-sheet on which the clerk's minutes are written. Zimmer v. Lyon & Healy, 190 App., 642; Crancer v. Williams, 191 App., 451.

Judgments must be sustained by record according to practice of common law courts. Gillman v. C. Rys. Co., 268 Ill., 305.

Municipal Court is court of record. Id.

See Appeals and Errors; Abbreviated Forms of Orders; Nunc pro Tunc.; Judgment; Exceptions, Bill of.

Referee.—See Account.

Referendum.—Act properly submitted to vote of electors of Chicago. Swigart v. Chicago, 223 Ill., 371.

Report of Evidence.—See Exceptions, Bill of.

Right of Property, Trial of.—Bringing suit for not a bar to suit against officer having execution for damages caused by wrongful levy. Wright v. Cermak, 186 App., 41.

Rules of Court.—The power to make rules for the conduct of the business of the court is not legislative, but is judicial in its nature. Chicago v. Coleman, 254 Ill., 338.

The prescribing of abbreviated forms of orders by the Chief Justice of the court is the exercise of a judicial and not a legislative power. Id.

Presumed, in absence of rules before Appellate Court, that they authorized statement of claim in lieu of declaration. Isbitz v. C. C. Ry. Co., 192 App., 487.

Where, appended to a bill of exceptions was a pamphlet containing the rules of the Municipal Court, certified by the judge, held a proper method of bringing the rules to the attention of the Supreme Court and making them a part of the record, although only rules applicable to the cause should have been so certified. Weil v. Fred. L. Ins. Co., 264 Ill., 425.

Rules provide for motion to dismiss in lieu of plea in abatement. Wilcox v. Conklin, 255 Ill., 604.

A rule of court may properly authorize the issuance of a writ of restitution where none is provided for by law. Hopkins v. Levandowski, 250 Ill., 372.

Secs. 19 and 28 of the Act cited as giving authority to adopt certain sections of Practice Act. Haines v. Danderine Co., 248 Ill., 259.

Rule 5 makes it irregular for one judge to set aside any order entered by another judge, but the same involves purely a question of practice with which the Appellate Court ought not to interfere unless relief is necessary to prevent a failure of justice. Marwick v. Edgar, 170 App., 167.

The rules changing forms of pleadings in first class cases are valid.

A. C. I. Co. v. Yamer, 170 App., 350; Muller v. Bernstein, 183 App., 154; Isbitz v. C. C. Ry. Co., 192 App., 487.

Sec. 18 of the Practice Act, providing that the assignee of a chose in action may sue thereon in his own name, has been adopted by rule. Hamill v. Watts, 180 App., 279.

Sec. 59 of Practice Act not adopted. Mann v. Brown, 182 App., 1; but see same case in 263 Ill., 394.

Certain sections of the Practice Act may be adopted by rules of the Municipal Court. Banschbach v. Gillen, 148 App., 222.

Sec. 40, providing that the court may adopt such rules as it may deem necessary to enable the parties, in advance of the trial, to ascertain the nature of plaintiff's claim and defendant's defense, cited as giving power to the Municipal Court to adopt Sec. 55 of the Practice Act requiring defendant to file an affidavit of merits. Perry v. Kausz, 166 App., 1; Kadison v. Fortune Bros. Brg. Co., 163 App., 276; McWhinney v. Gill, 167 App., 582.

Rules 21 and 22 applied to pleadings. N. C. & S. Co. v. Mueller, 171 App., 342.

The rule of the Municipal Court adopting certain sections of the Practice Act is not judicial legislation and is valid. Koch v. Dickinson, 152 App., 413.

Rule 23, adopting Sec. 52 of Practice Act, places upon plaintiff the burden of proving assignment of note, where assignment is denied by affidavit of merits. Duquesne Sec. Co. v. Hodgens, 182 App., 88.

Rule 17 authorizes the rendition of judgment for amount admitted in affidavit of merits and trial as to balance. Severin v. Conway, 172 App., 257; Thompson v. Holt, 183 App., 113.

The Supreme Court will not take judicial notice of the rules of the Municipal Court. Sixby v. C. C. Ry. Co., 260 Ill., 478; Mann v. Brown, 263 Ill., 394; Jaggle v. Nagle, 183 App., 237.

See Judicial Notice.

Service of Process.—A bailiff's return showing service upon a corporation by delivering a copy to a certain agent named, the president not being found within the City of Chicago, is sufficient; there need not be any return showing that the president cannot be found in the county. Chicago Copy Co. v. Original Mfg. Co., 162 App., 500; Burr v. Co-op. Const. Co., 162 App., 512.

Original process cannot be served outside the city. Wilcox v. Conklin, 255 Ill., 604.

See Forcible Detainer.

Set-Off and Recoupment.—In an action of the fourth class, a set-off for more than one thousand dollars is not germane to the main suit or a proper subject of counterclaim. C. T. & T. Co. v. Kemler Lbr. Co., 151 App., 579. (Rendered while rule as to common law pleadings in first class cases was in force. It is believed that this case is not now being followed by any of the judges of the Municipal Court.)

The filing of a statement of set-off is governed by Rule 18 of the court. Walter Cabinet Co. v. Russell, 250 Ill., 416.

A set-off for unliquidated damages not growing out of the subject matter of the contract sued on is improper in the Municipal Court. Carnegie v. Dawney, 178 App., 413; Holslag v. Morse, 188 App., 607; Car Co. v. Corkill, 187 App., 2.

Where tort is waived by defendant and set-off allowed. Twentieth Century L. & A. B. v. Crayon Co., 193 App., 1.

What is sufficient claim of set-off. Id.

Recoupment in tort in contract cases and in contract in tort cases. Burroughs v. Selleck, 185 App., 446.

General procedural rules as to set-off and recoupment applied in municipal court case. Shirk v. Birk Bros. Brew. Co., 191 App., 15.

A plaintiff cannot be in default for want of an affidavit of merits of defense to a claim of set-off until the court has made an order fixing the time within which the affidavit must be filed. Walter Cabinet Co. v. Russell, 250 Ill., 416.

A claim of set-off must, under Rule 18 of the court, be filed with defendant's appearance. It cannot be filed afterwards without special leave of court. When filed afterwards without such special leave, neither the court nor the plaintiff is required to recognize the statement in any way. Id.

The proofs must follow the allegations of a claim of set-off. Id.

The denial of a motion to strike a statement of set-off from the files, where such statement has been erroneously filed, cannot be held to be in error. It is equivalent to an order extending the time for filing such statement. Id.

It is discretionary with the court to strike a statement of set-off not sworn to from the files. Fulmer v. Chaney, 179 App., 48.

Paragraph 2 of Sec. 48, providing for statement of set-off or counterclaim, does not make such statement necessary in case of recoupment. Wickizer-McClure Co. v. B. & S. Co., 151 App., 540.

Where the members of a partnership are sued jointly, one of defendants cannot file set-off for claim due from plaintiff to him individually. Peretes v. Tompary, 182 App., 495.

Where a defendant, just before any evidence was introduced, gave notice orally of a set-off, and the plaintiff went to trial knowing that no statement of set-off was filed with defendant's appearance as required by the Act, the plaintiff cannot afterwards be heard to object. Keelyn v. Strieder, 148 App., 238.

The question whether the provision of the Act permitting a statement of set-off to be filed with defendant's appearance allows the court to extend the time for filing such a statement by an order subsequent to the appearance of the defendant, is a matter pertaining to the practice in that court, of which it is made the sole judge, but if this be not so, it makes no difference in this case, for the Appellate Court holds that the Municipal Court held rightly. McGuire v. Bransfield, 147 App., 541.

Statement of Claim.—*Stating Cause of Action.*—Must state a cause of action. Gillman v. C. Rys. Co., 268 Ill., 305.

Not waived by failure to move for more specific statement. Id.

In action against city, statement need not allege giving of notice as required in common law pleadings. Enberg v. Chicago, 271 Ill., 404.

Prior appellate court decisions on sufficiency of statement of claim. Greenboldt v. C. Rys. Co., 189 App., 185; Bradley v. Western Casket Co., 185 App., 375.

Claim of set-off need only apprise plaintiff of nature and character of cross-demand. Twentieth Century L. & A. B. v. Crayon Co., 193 App. 1.

Prior Decisions on Sufficiency of Statement.—Where the rules of the municipal court are not before the appellate court, the latter will presume that rules were adopted authorizing a statement of claim in a first class case in lieu of a declaration, where there is no showing to the contrary. Isbitz v. C. C. Ry. Co., 192 App., 487.

In an action to recover penalty for unjust discrimination in life insurance rates, if the statement of claim states with particularity all the facts showing a violation of the act, it is not necessary that it should allege that the discrimination was unjust. P. v. Hartford Life Ins. Co., 252 Ill., 398.

Whether a more specific statement of claim will be required is dis-

cretionary with the court. Such discretion held not abused. P. v. Dunn, 255 Ill., 289.

Where a statement of claim in a suit to recover a penalty for practicing medicine without a license alleged the dates upon which the offense is said to have been committed, it was held not necessary to give the name of the person alleged to have been treated, or to state that the name of such person was unknown. Id.

If a complaint for a violation of a city ordinance, which stands as a statement of claim, is not sufficiently certain and the defendant desires a more specific statement, his remedy is not by motion to quash, but by a motion for a rule for a more specific statement. Chicago v. Williams, 254 Ill., 360.

While the formalities of pleading have been abolished, it is still the law in the Municipal Court, as in other courts, that a party is limited, in his evidence, to the claim he has made. Walter Cabinet Co. v. Russell, 250 Ill., 416; Niemeyer v. Berg, 186 App., 107; Fraser v. R. R., 185 App., 455.

Applied to case of suit on contract as distinguished from tort. Bank v. Breen, 188 App., 467; but see Edgerton v. C. R. I. & P. Ry. Co., 240 Ill., 311.

Case where question was as to liability on a *del credere* agency contract or on one of direct purchase. Carterville Coal Co., v. Covey-Durham Coal Co., 186 App., 163.

Sufficient even though statement admits that the exact number of articles sold and those that have been fully paid for can only appear by defendant's records, and though affidavit of plaintiff's claim alleges that the exact amount due from defendant is unknown to plaintiff. Beyers v. A. T. Co., 191 App., 124.

Sufficient after verdict. Isbitz v. C. C. Ry. Co., 192 App., 487.

The issue is made by the statement of claim, and the evidence must be limited by that statement. The issue cannot be enlarged by oral claims or affidavits filed. Walter Cabinet Co. v. Russell, 250 Ill., 416.

An order striking a statement of claim from the files and entering judgment against plaintiff without any proof whatever, for failure to produce account books, is a violation of the constitutional guaranty of due process of law. Id.

A statement of claim is sufficient if it clearly advises the defendant of the nature of the case he is called upon to defend. It is not necessary in a tort case to set forth in the statement of claim the

statute of the state or the ordinance of the city relied on. C., M. & S. P. Ry. Co. v. Houren, 139 App., 116. See same case in 236 Ill., 620.

Where a statement of claim for lumber sold did not state in terms that the claim was for lumber sold and delivered, but it was stated in words and figures sufficiently for any lumberman to understand every item of charge and credit, and the affidavit stated that the cause was a suit upon contract for the payment of money and that the nature of the demand was for a balance as set forth in the claim and that a certain sum was due, held sufficient. Post Falls Co. v. Messer Co., 183 App., 309.

Assignee of chose in action cannot recover unless his statement of claim alleges on oath that he is the bona fide owner of the chose and how and when he acquired title. Leemon v. G. C. Tack Co., 187 App., 247.

Assignee of judgment note cannot recover thereon unless the statement of claim alleges that the note was assigned to him. Duquesne Sec. Co. v. Hodgens, 182 App., 88.

Where a cause of action was not set forth accurately in plaintiff's statement of claim, a judgment in his favor should not be reversed where the defendant was not prejudiced thereby. Brooks v. Lumber Co., 182 App., 145.

A statement of claim must state a cause of action. Devine v. Metro. W. S. El. Ry. Co., 162 App., 629.

In a case involving death by wrongful act, allegations of survivorship of the widow and next of kin are essential to a cause of action. Id.

Motion to strike statement is in the nature of a demurrer thereto.

Cause of action must be stated. Lewis v. Bank, 188 App., 544; Ruehl Bros. Brew. Co. v. Atlas Brew. Co., 187 App., 392; Vreeland v. Vreeland, 186 App., 183; Credit Co. v. Witz, 186 App., 184.

Motion to strike, order thereon and exception should be preserved by bill of exceptions. Jones v. Roberts, 188 App., 609.

Where a statement of claim sufficiently advised defendant of the case it was called upon to meet, held that as the case was one of the fourth class where written pleadings are not essential and the action is what the proof makes it, there was no merit in the contention that the judgment should be reversed because of an alleged variance in plaintiff's evidence and its statement of claim. Paris Flour-

ing Co. v. Imperial Milling Co., 181 App., 215; Fisher v. Tauber, 174 App., 436.

Statement that defendant corporation was successor of another corporation charged with liability sufficient as against defendant after verdict. Cent. Machine Co. v. North Equipment Co., 185 App., 476.

Judgment should not be rendered for more than amount claimed in statement of claim. Marrone v. Ehrat, 175 App., 649.

Not even where excess is accrued interest. Kretzinger v. Lewis, 174 App., 45.

Where an affidavit in attachment is filed, and thereafter the attachment is dissolved upon the defendant's entering into a recognizance to pay whatever judgment might be rendered, the affidavit in attachment may stand as the statement of plaintiff's claim, and is sufficient to support an action in trover. Burns v. Shoemaker, 172 App., 290.

What allegation in statement of claim is sufficient showing of malice to prevent discharge under Insolvent Debtor's Act. Lasher v. Carey, 182 App., 147.

The provision of Rule 22 that, if it appears that the party filing a statement of claim is relying on a cause of action that is clearly unfounded in law, the court may order the same stricken out, merely means that when the court finds that the statement of claim does not set out a cause of action, an order may be entered striking the statement from the files. Wiese v. Meissner, 171 App., 597.

A statement of claim in a suit for slander, alleging that the slanderous words were spoken in the presence of divers persons, is sufficient, although at common law a declaration containing such allegation would be insufficient as not alleging the words to have been spoken in the hearing of a third person. Id.

Where it was claimed that a statement of claim did not set forth a cause of action, held that, even if technically defective, it advised the defendant of plaintiff's demand, as required by Sec. 40, and as no demand for a more specific statement of claim was made, and no motion was made to strike the statement from the record on the ground that it did not state a cause of action, after judgment it must be regarded as sufficient. Gamble Co. v. U. P. R. R. Co., 180 App., 256.

In a suit on a contract, in which the covenants are mutual and dependent, the statement of claim must allege performance or tender

thereof, unless facts are alleged excusing such performance or tender. Watts v. Balch, 182 App., 377.

There being no written pleadings in the Municipal Court, a judgment should not be reversed on the ground that the praecipe and statement of claim were not amended, although an order was entered permitting that to be done, where the point was raised for the first time after judgment has been entered. Zustovich v. Morrison, 163 App., 44.

A statement of claim in a quasi-criminal case is not subject to objection if it sets forth the offense sufficiently clearly to inform the defendant with what he is charged. In a prosecution for selling cocaine it is not necessary to state the name of the purchaser. Zito v. P., 140 App., 611.

Even though a statement of claim may be subject to demurrer if tested by common law rules of pleading, it may be sufficient under Municipal Court Act and rules of court. Carden v. C. Rys. Co., 183 App., 168.

In a wage claim case the plaintiff need not make a claim for attorney's fees in his statement of claim. Goodridge v. Alton, 140 App., 373.

Plaintiff cannot require defendant to answer mere conclusions set forth in the statement of claim. Philippe v. Curran, 191 App., 433.

Sufficiency of affidavit to statement of claim cannot be first attacked after verdict. Brockhaus v. Garner, 188 App., 560.

A statement of claim that it is for injuries sustained by plaintiff on a certain date while in the employ of defendant as a common laborer, by reason of defendant's failure to furnish him a proper, safe and sufficient scaffold upon which to work, etc., to the damage of plaintiff in the sum of $1,000, is sufficient. Schultz v. Ericsson, 264 Ill., 156.

Such a statement of claim reasonably informs the defendant of the nature of the case he is called upon to defend. Id.

In action for negligence in shipment, objection that statement of claim did not allege that plaintiff was owner of bill of lading cannot be urged for first time in Appellate Court. Stacy v. Oregon Short Line, 184 App., 30.

Where interrogatories and answers thereto by plaintiff are on file, court may refuse to require more specific statement of claim. Welch v. Newbold, 184 App., 36.

It is immaterial what name a plaintiff may give his action. Even though the statement of claim may call the action one in contract, still the recovery may be in tort if justified by the facts. Edgerton v. C., R. I. & P. Ry. Co., 240 Ill., 311; see Bank v. Breen, 188 App., 467.

Precision and exactitude of statement in a statement of claim are not required by the Municipal Court Act. All that the act demands is a statement sufficient to apprise the defendant of the nature and character of the demand made against him. Toledo Com. S. Co. v. Tyden, 141 App., 21; McDowell S. & Co. v. Sharp, 157 App., 165; Feder v. Greenberg, 191 App., 144.

It is immaterial if plaintiff's action is misnamed—whether suit is brought for wages or a breach of contract. Herrick v. Canada Ry. News Co., 161 App., 413.

Sec. 40 does not require the plaintiff to state the facts constituing his cause of action, but only to state the nature of his demand. Schulze v. Gottschalk, 152 App., 20.

In the Municipal Court written pleadings are not required. Not altogether clear whether the action is one of assumpsit upon contract or in tort for negligence. Forbes v. Ry. Co., 162 App., 448.

An amended bill of particulars filed after trial and before judgment, but recognized by an order entered within thirty days after judgment granting leave to file *nunc pro tunc* as of the day before the trial, assumed to be regularly filed. Miskell v. Boydston, 152 App., 66.

Attorney's fees may be allowed to a plaintiff who sues for wages earned by the month as a transit man and topographer, even though no claim is made therefor in the statement of claim. Goodridge v. Alton, 140 App., 373.

In suit on a ne exeat bail bond it was held that, while it may not, under the act, be necessary in the first instance to aver that the writ of *capias ad respondendum* was issued and returned *non est inventus,* proof of these essentials to a recovery cannot be dispensed with. Cochran v. P., 140 App., 596.

Statement of claim may be amended during trial. Grutza v. Mining Co., 178 App., 274; Lunkes v. Gluljich, 182 App., 116.

It is not necessary to file a copy of the instrument sued on with the statement of claim. Ferguson v. Hale, 162 App., 523; Guerra v. Rocco, 181 App., 528.

The statement of claim is sufficient if it describes the nature of the demand. Ferguson v. Hale, 162 App., 523.

Where the amount of claim is stated in the praecipe, but the statement of the claim does not mention the amount, but says that the claim is for money due in a certain transaction, it is sufficient under the liberal practice provided for in the act. Id.

Plaintiff not required to prove the execution of the instrument sued on, even though no copy is filed with the statement of claim, where no denial of execution is made under oath by defendant. Id.

A statement of plaintiff's claim as follows: "Plaintiff's claim is for money loaned, $100; to attorney fees, $20.00; by cash, $20.00," in connection with the affidavit of plaintiff's claim, held sufficient on default and in the absence of a motion questioning the assessment of damages or motion to vacate. Pedersen v. Sorensen, 162 App., 522.

Even though the evidence may not justify a recovery under the common counts for goods sold and delivered, but only for goods bargained and sold, a bill of particulars (statement of claim) alleging a sale and delivery is not to be treated with the same strictness as a formal pleading in fourth class cases, where written pleadings are dispensed with. Bender v. Lundberg, 152 App., 326.

Different Counts Recognized.—Grossfeld v. Zuckerman, 192 App., 90.

See Pleadings, Complaint.

Statement of Facts.—See Exceptions, Bill of.

Statutes.—If there were any conflict between the amendment to the Bastardy Act adopted February 11, 1907, and the amendments to the Municipal Court Act approved June 3, 1907, at the same session of the Legislature, the Act of later date would prevail. P. v. Hill, 152 App., 78.

Stenographic Report.—See Exceptions, Bill of.

Supersedeas.—Denial of by the Appellate Court does not work an affirmance. Clowry v. Holmes, 238 Ill., 577.

Supplementary Proceedings.—One cannot be legally found guilty of contempt for refusal to produce books pursuant to a subpoena duces tecum issued in supplementary proceedings where there is no showing that the books are in anywise pertinent or material to the issue involved in the supplementary proceedings. P. v. Heintz, 167 App., 550.

Supplementary proceedings are summary in their character and the jurisdiction of the court to enter any order therein is referable solely to its jurisdiction to enter judgment in the principal case. P. v. Cohen, 163 App., 115.

As the right to punish for contempt is inherent in a court of justice according to the common law, independent of a statute, the jurisdiction of the court to enter a judgment in contempt in supplementary proceedings is exercised according to the course of the common law and the judgment so entered is reviewable by writ of error. Id.

The fact that a judgment debtor did not sue out a writ of error to reverse an order directing him to pay money to the bailiff in supplementary proceedings, does not bar the party's right to a review of such order in a writ of error in the contempt matter. Id.

The second paragraph of Sec. 64, so far as authority is thereby conferred upon the court to require any person to turn over property in his possession belonging to the judgment debtor, is limited in its application to personal property and does not empower the court to set aside a conveyance of real estate as void, even though such conveyance is either in fact or in law fraudulent as to creditors. No such power is vested in the court and such an order is unauthorized and void. Id.

An order of court directing money to be paid to the bailiff to be applied upon the judgment is unauthorized where it is necessarily predicated upon the extra judicial order of the court setting aside a conveyance of real estate. Id.

Such an order is also unauthorized where it does not appear that the defendant has money in his possession or control at the time the order is entered for him to turn it over. Id.

An order of the court enjoining defendants from conveying real estate is unauthorized, and a judgment in contempt for violation of such injunctional order is illegal. Id.

A final order in, is reviewable on writ of error. Id.

An order finding that a judgment debtor has property which he should turn over in supplementary proceedings and directing him to turn same over to the bailiff is a final order and subject to writ of error. Ill. B. & M. Co., v. Ilmberger, 155 App., 417.

In supplementary proceedings it was held that in criminal contempts, alleged to have been committed out of the presence of the

court, if the respondent's answer is sufficient to acquit of the charge, he must be discharged, and that an attachment for contempt alleged to have been committed out of the presence of the court should be based upon an affidavit. Perry v. Krausz, 167 App., 250.

If the respondent was never called upon in open court prior to the institution of contempt proceedings to submit himself for examination and if he was in court at all times when required by the citation, he cannot be guilty of contempt. Id.

Where proceedings in contempt in supplementary proceedings are instituted in the name of the people, and where on writ of error no attempt is made to bring the plaintiff before the Appellate Court and it does not appear from the record that the plaintiff is the relator in the proceedings, he cannot be charged with costs of the writ of error. Id.

Sec. 64 borrowed largely from New York Code.

Tort.—Action may be brought in contract and recovery had in tort. It is immaterial what name is given to an action. Edgerton v. C., R. I. & P. Ry. Co., 240 Ill., 311.

An action of tort for the conversion of personal property under the Municipal Court Act is governed by the same rules of evidence as an action of trover at common law. Dolphin v. Davis, 183 App., 118.

Waiving and suing in contract in set-off. Twentieth Century L. & A. B. v. Crayon Co., 193 App., 1.

In an action of tort against two defendants, a judgment against "the defendant", without naming him, cannot be sustained. Niemeyer v. Berg, 186 App., 107.

Fourth class cases include actions in tort as well as in contract. Maiss v. Met. Am. Co., 241 Ill., 177.

Municipal Court record showing malice was the gist of the action is *res adjudicata* on petition for discharge before county court. Bremer v. Murray, 184 App., 637.

What allegation in statement of claim is sufficient showing of malice to prevent discharge under Insolvent Debtors' Act. Lasher v. Carey, 182 App., 147.

See Contract.

Trial by Jury.—Waiver of Right.—*Civil Cases.*—Right to demand trial by jury is not waived by power of attorney to confess judgment

which in terms waives such right. Morrison H. Co. v. Kirsner, 245 Ill., 431; Flanagan v. Burns, 170 App., 535.

Defendant in case of confession of judgment is in apt time to preserve his right to trial by jury if demand therefor is made when judgment by confession is vacated or he is given leave to defend. Id.

Right to trial by jury is waived by defendant unless demand therefor is made and jury fee paid at time appearance is filed. Williams v. Gottschalk, 231 Ill., 175.

Admissions of answers to interrogatories cannot be construed as waiver of right to trial by jury. Rielly v. N. P. F. Co., 192 App., 395.

Defendant appearing for the special purpose of having plaintiff, a non-resident, required to give security for costs need not file demand for jury trial until his motion is disposed of. Lofaro v. Maggi, 184 App., 571.

Trying a case by the court without a jury not reversible error where the evidence showed that the court would have been obliged to direct a verdict in accordance with the finding of the court. Louisa Co. Bank v. Claney, 182 App., 389.

A minor plaintiff is required to demand and pay for a jury the same as an adult. Defendant who has not made a demand for a jury cannot complain of a trial by the court. O'Malley v. Marquardt, 170 App., 278.

Where plaintiff brought suit without demanding a jury and defendant appeared demanding one and filed a set-off, and the cause coming on for trial and the plaintiff not appearing, the defendant was entitled to waive his jury demand. It was defendant's privilege under Sec. 30 to withdraw his demand at any time before the trial. Guthman Transfer Co. v. Bryant & Stratton, 172 App., 301.

It will be presumed, in the absence of evidence to the contrary, that the clerk of the court collected a jury fee from the party demanding it. It is too late to raise such question for the first time in the Appellate Court. Flanagan Co. v. Burns, 170 App., 535.

In Criminal Cases. Defendant in criminal case entitled to withdraw jury waiver before arraignment. P. v. Standish, 185 App., 485.

Where the jury waiver was written on a printed blank used by the city in city prosecutions, and the person that filled out the blank neglected to erase the words "City of Chicago" in the title and insert in lieu thereof the words "The People," and the waiver has the correct number of the case and the correct venue, and the court's atten-

tion was not called to the defect, held that a trial by the court without a jury should be sustained. P. v. McDonald, 178 App., 159.

A minor is bound by a jury waiver signed by him. Id.

Where jury waiver in a criminal case was signed "G. Lichard" and the record identified the defendant, "John Litcher", as the one that executed the waiver, a judgment on trial by the court without a jury was affirmed. P. v. Litcher, 181 App., 715.

Venue, Change of.—Section 39, limiting right to, unconstitutional. Feigen v. Shaeffer, 256 Ill., 493.

Where a change of venue from all the judges of the court is granted, it is proper to call in a judge of another city court to try the case in the Municipal Court. Gregory Printing Co. v. DeVoney, 257 Ill., 399.

WORK OF THE CIVIL BRANCHES.

During the year 1914, 66,957 cases were filed in the Municipal Court of Chicago, and 65,983 were disposed of; in 1915, there were 66,529 filed and 69,337 disposed of, classified as follows:

First District.

	No. of Cases Filed.		No. of Cases Disposed of.	
	1914	1915	1914	1915
First Class	1,522	1,416	1,061	1,120
Tort	3,075	2,815	2,366	1,863
Focible Entry and Det	15,271	15,408	15,324	15,567
Attachment	2,727	2,453	2,717	2,672
Distress for Rent	255	249	196	168
Replevin	1,581	1,636	1,365	1,568
Contract	41,063	41,189	41,995	45,060
Scire Facias to revive judgments	13	28	9	10
Total	65,507	65,194	65,033	68,028

Second District.

	No. of Cases Filed.		No. of Cases Disposed of.	
	1914	1915	1914	1915
Tort	65	58	27	64
Forcible Entry and Det	309	277	205	280
Attachment	168	127	77	130
Distress for Rent	2	3	1	4
Replevin	32	38	18	37
Contract	874	832	622	794
Total	1,450	1,335	950	1,309

	Filed.		Disposed of.	
	1914	1915	1914	1915
GRAND TOTAL	66,957	66,529	65,983	69,337

SMALL CLAIMS BRANCH.

The Small Claims branch court represents an attempt to meet an insistent need and solve a most perplexing problem. It is an attempt to adjudicate causes involving small sums in such an economical manner that genuine and practical justice may result.

The class of causes which cannot stand the cost of trial in customary manner with counsel and jury is a large one, comprising at least a third of all civil controversies. The obligation of the court to see justice rendered in these lesser causes is just as binding as in greater ones. There can be no real justice if the cost to the parties bears an improper relation to the amount recovered.

When litigation is too costly, the result for many persons is a denial of justice. Such denial or partial denial of justice engenders social and commercial friction. The sense of helplessness thus caused incites citizens to take the law into their own hands. It causes crimes of violence. It saps patriotism and destroys civic pride. It arouses class jealousies and breeds contempt for law and government.

The persons affected by such a situation are numerous. Many of them can never be served by the courts in any other manner. The comparatively trivial right of action is for people of small means a very serious matter.

These facts have been generally realized, but a solution of the problem has been very difficult owing to the constant tendency of contentious procedure to acquire unnecessary features. The overgrowth of technicalities which marks American judicial procedure throughout is fatal to practical justice in small controversies.

To obviate these innate difficulties two general lines of reform are being experimented with. One looks to the attainment of justice informally without a trial by inducing the parties to accept a settlement tendered to, or urged upon them. Following this theory courts known as "conciliation courts" have been established. These tribunals are capable of doing a great deal of good.

But in the establishment of the Small Claims branch the other course was pursued. It is highly conservative in essence, for it does not depart from that principle of contentious procedure which seems peculiarly fitted for a self-governing people. It adheres to the bedrock principle of our jurisprudence by providing for a finding of facts and judicial determination of the rights of the parties according to the law of the evidence. Useless formalities are eliminated. Con-

tentiousness is curbed so as to serve a useful purpose. Economy is obtained by simplicity and directness.

The Small Claims branch was created after the judges of the court had heard a report from a committee composed of Judges Stelk, Sabath and Mahoney, who visited Cleveland to study the operation of the Conciliation branch court of the Municipal Court of Cleveland. By Order of the Chief Justice the Small Claims Branch was established February 26th, 1916, as Branch 6 in Room 913 with Judge Newcomer in charge. The order provided that the clerk should assign to the new branch court all civil claims involving not more than thirty-five dollars, except attachment, garnishment and distress for rent cases, the excepted cases being deemed emergency causes and always tried without any considerable delay. The maximum amount of thirty-five dollars was afterwards increased to fifty dollars.

As no special procedure was provided, the success of the experiment depended upon the ability of the judge assigned to this branch to get at the facts speedily and render a judgment forthwith. It was necessary to discourage continuances but care was taken not to inconvenience the parties or their counsel.

Formality was dispensed with as far as possible without prejudicing any substantial right. It was found that the parties, whether they were or were not represented by counsel, could usually present their evidence in a comparatively short time so that one judge was able to keep abreast of the normal volume of business committed to this branch. Occasionally it was necessary to send a number of cases to another courtroom.

The experiment soon proved that it was possible to get a judicial determination, retaining the essential elements of legal procedure, with such economy of time and effort on the part of litigants and the court that substantial justice could be done. The causes ranged from those involving only two or three dollars to the limit set for this branch. The comparative success of the experiment was established by the evident satisfaction of litigants. The Municipal Court committee of the Chicago Bar Association interested itself in the matter and after about a month of investigation adopted the following resolutions, which were approved by the Board of Managers of the Association.

"RESOLVED, that we are heartily in favor of the branch court (of the Municipal Court) known as the Court of Small Claims.

"RESOLVED, FURTHER, that in each case assigned to said branch court all lawyers who may represent a party or parties thereto, should request the court to conduct the trial thereof and should not ask for continuances, except in cases of absolute necessity, and should further assist the court in every way to dispose of such cases speedily.

"RESOLVED, FURTHER, that in such cases it is the duty of lawyers not to raise technical objections of any kind so that substantial justice may be obtained by the parties.

"RESOLVED, FURTHER, that it is the opinion of the members of said Association that a rule should be adopted by said court providing that the plaintiff (in every case) may indicate on his statement of claim that he wishes to try his case without a lawyer and that in such cases, wherein the plaintiff so elects, the statement of claim shall in some appropriate manner notify the defendant that he also has the right to try his own case, if he wishes to do so, and that such rule of court should further provide that each case assigned to said branch court may be set down for immediate trial on the day on which the summons is returnable."

Judge Newcomer conducted this branch until August 1, 1915, being succeeded by Judge Cowing and later by Judge Prindiville, who sat until after the close of the fiscal year.

These causes are subject to the sections of the Municipal Court act which require an entry fee of $3 and personal service by an officer of the court. In Cleveland the law permits of service by registered mail and it is found to be entirely satisfactory in practice as well as the most economical method of service. In similar causes in Cleveland there is no statutory restriction regarding fees and it has been found practicable to assess either twenty-five cents, or fifty cents, as the total amount of fees due the court. Improvement along these lines in Chicago is dependent upon an amendment of the Municipal Court act.

The cost to the parties and to the court in causes tried in formal manner with a jury of twelve, as in the other civil branches, is uncertain, owing to the great variation in the length of trial. The cost to the court for one day's trial is probably not less than $75.00. The cost to the parties for counsel and for the time of principals and witnesses is a considerable amount in the average case. While it is impossible to say at just what point a claim can be considered large enough to

justify the average cost of trial in formal manner, it is evident that that point is far in advance of the present limit of fifty dollars.

Complete justice depends upon the tariff which the traffic can bear. The court cannot cheapen its results but it can cheapen its methods, as this experience shows, bringing practical justice to a class of litigants heretofore seriously embarrassed. Everything points to the need for bringing the economy of practical justice to litigants whose controversies involve sums much larger than fifty dollars. The development of the practice in this direction should be a natural one, based upon experience, and keeping the larger features of the situation in mind.

In this connection it must be borne in mind that this informal procedure is based entirely upon the satisfaction of the patrons of the court. There is no disposition to coerce any litigant. Any party who desires a jury trial can be accommodated on short notice by transfer to a branch in which a jury is being used.

The simpler method is thus seen to be in direct competition with the accustomed but less economical method. It can succeed only as it proves its worth in daily service. It is apparent that what the litigant most wants is a competent judge who is absolutely impartial. In the Small Claims branch these fundamental needs are met.

From the time of the establishment of this branch to the end of the fiscal year, 11,997 suits were filed therein and 8,573 were disposed of. The difference between these numbers represents partly causes transferred to other judges for speedy trial but mostly to settlements effected after process was issued and before return day.

SUMMARY AND COMPARISON.

Total Number of Civil Cases Filed and Disposed of

	1907		1908		1909		1910		1911		1912		1913		1914		1915	
	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of
First District	35,979	29,801	47,808	45,628	45,715	47,170	46,779	47,225	51,815	49,460	54,242	54,837	57,513	56,958	65,507	65,033	65,194	68,029
Second District	1,125	1,076	1,194	1,217	1,398	1,320	1,488	1,424	1,408	1,471	1,400	1,402	1,351	1,074	1,450	950	1,335	1,308
Total	37,104	30,877	49,002	46,845	47,113	48,490	48,267	48,649	53,223	50,931	55,642	56,239	58,864	58,032	66,957	65,983	66,529	69,337

Number undisposed of civil suits December 7, 1914	16,930
Civil suits filed, year ending December 5, 1915	66,529
Civil suits reinstated, year ending December 5, 1915	1,447
	84,906
Total number civil suits disposed of, year ending December 5, 1915	69,337
Total number of civil suits pending December 5, 1915	15,569

COMPARATIVE STATEMENT.

Of Number of Demands for Trial by Jury in Civil Suits.

	By Plaintiff.	By Defendant.	Total.
1907	2,454	1,480	3,934
1908	2,468	3,136	5,604
1909	2,193	2,566	4,759
1910	2,436	2,880	5,316
1911	2,291	2,931	5,222
1912	2,042	3,162	5,204
1913	1,891	3,671	5,562
1914	1,865	3,655	5,520
1915	1,278	3,610	4,888

COMPARATIVE STATEMENT OF THE AMOUNT OF MONEY JUDGMENTS RENDERED IN THE MUNICIPAL COURT OF CHICAGO FROM DECEMBER 3, 1906, TO DECEMBER 5, 1915.

	First District.	Second District.	Total.
1907	$1,471,758.26	$29,702.45	$1,501,460.71
1908	3,226,018.92	42,343.02	3,268,361.94
1909	3,706,725.78	50,364.78	3,757,090.56
1910	3,541,092.86	52,590.54	3,593,683.40
1911	4,028,062.85	68,191.73	4,096,254.58
1912	3,984,413.31	56,131.01	4,404,544.32
1913	4,608,257.51	52,370.48	4,660,627.99
1914	5,477,764.07	65,927.34	5,543,691.41
1915	5,747,999.19	69,374.08	5,817,373.27

The following statement shows by what means this total is arrived at for the Court year 1914 and 1915:

	1914	1915
Default	$2,187,074.81	$2,475,572.28
Trial by Court	1,427,441.19	1,545,140.26
Trial by Jury	501,070.52	471,169.18
Confession	1,428,104.89	1,325,491.55
Total	$5,543,691.41	$5,817,373.27

COMPARISON.

Below is shown by months the amount of money judgments entered by the Municipal Court during the years 1914 and 1915, as compared with similar figures for the Circuit and Superior Courts of Cook County:

	1914. Municipal Court.	Circuit Court.	Superior Court.
December, 1913	$ 474,061.79	$ 54,105.10	$ 144,953.03
January, 1914	423,022.38	40,040.44	131,314.69
February, 1914	412,409.49	47,338.70	50,360.63
March, 1914	466,428.68	51,550.65	94,932.79
April, 1914	448,937.60	188,332.22	223,303.46
May, 1914	424,855.03	52,102.39	101,956.07
June, 1914	566,909.15	90,277.23	395,849.70
July, 1914	378,122.84	112,001.77	526,392.61
August, 1914	409,350.81	55,219.72	20,599.44
September, 1914	395,494.83	21,047.98	27,763.55
October, 1914	569,875.98	74,004.12	86,357.14
November, 1914	471,819.97	74,745.74	68,921.08
Dec. 1-5, 1914	102,402.86	267,142.34	32,624.98
TOTAL	$5,543,691.41	$1,127,908.40	$1,905,329.17

1915.

		Municipal Court.	Circuit Court.	Superior Court.
December,	1914	$ 382,239.28	$ 84,283.28	$ 90,211.26
January,	1915	502,497.54	75,531.53	93,893.68
February	1915	388,110.93	80,690.48	91,238.91
March,	1915	525,436.31	96,184.84	116,248.76
April,	1915	554,123.66	77,969.02	101,663.82
May,	1915	522,866.03	166,956.06	136,617.46
June,	1915	693,093.53	141,591.27	99,186.81
July,	1915	424,917.09	55,072.53	153,408.56
August,	1915	357,289.80	19,563.92	11,316.44
September,	1915	397,433.29	17,284.62	33,413.92
October	1915	460,802.08	107,970.10	68,785.25
November,	1915	530,828.26	117,104.33	172,968.77
Dec. 1-5,	1915	77,739.47	15,013.50	24,550.00
TOTAL		$5,817,377.27	$1,055,215.48	$1,193,503.64

SUMMARY AND COMPARISON OF SUITS FILED AND DISPOSED OF IN NINE YEARS.

Civil.

Year.	No. of Suits Filed.	Disposed of.	Money Judgments.
1907	37,104	30,877	$ 1,501,460.71
1908	49,002	46,845	3,268,361.94
1909	47,113	48,490	3,757,090.56
1910	48,267	48,649	3,593,683.40
1911	53,223	50,931	4,096,254.58
1912	55,642	56,239	4,040,544.32
1913	58,864	58,032	4,660,627.99
1914	66,957	65,983	5,543,691.41
1915	66,529	69,337	5,817,373.27
TOTAL	482,701	475,383	TOTAL $36,279,088.18

Criminal.

Year.	FILED. Felonies.	Misde-meanors.	Violation City Ord.	DISPOSED OF. Felonies.	Misde-meanors.	Violation City Ord.
1907	.....	15,079	45,535	.....	13,755	44,472
1908	8,249	10,187	56,698	7,721	10,467	56,742
1909	6,524	10,057	62,019	6,460	10,130	61,781
1910	7,701	9,559	70,703	7,618	9,825	70,479
1911	9,631	12,012	72,189	9,526	11,770	71,434
1912	7,457	15,822	80,979	7,362	15,888	83,119
1913	8,399	20,291	92,476	8,102	19,520	93,711
1914	10,238	23,469	103,868	8,673	21,260	104,115
1915	9,956	25,243	101,892	8,603	23,234	99,134
	68,155	141,719	686,359	64,065	135,849	684,987

Total Filed—Criminal and Quasi Criminal..... 896,233
Total Disposed of—Criminal and Quasi Criminal..... 884,901
GRAND TOTAL FILED 1,378,934
GRAND TOTAL DISPOSED OF.....1,360,284

During these nine years five judges of the Municipal Court have died.

There were twenty-eight judges the first part of this nine year period and thirty-one the last part, in addition to non-resident judges from time to time.

TABLE SHOWING IN DETAIL THE NUMBER OF CIVIL SUITS COMMENCED IN THE MUNICIPAL, CIRCUIT AND SUPERIOR COURTS, AND LAW CASES IN THE COUNTY COURT.

	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915
Municipal Court	.....	.....	37,104	49,002	47,113	48,267	53,223	55,642	58,864	66,957	66,529
Circuit Court (Law & Chancery)	9,623	8,997	5,525	5,757	6,843	7,612	7,762	7,797	9,646	8,510	10,308
Superior Court (Law and Chancery)	8,345	8,330	6,609	5,702	6,446	6,815	7,715	7,506	6,858	7,405	6,695
County Court (Law Cases) only	763	759	139	154	230	295	379	556	725	730	763
Totals	18,731	18,086	49,377	60,615	60,632	62,989	69,079	7,1501	76,093	83,602	84,295

TABLE SHOWING IN DETAIL THE TOTAL RECEIPTS OF THE MUNICIPAL, CIRCUIT AND SUPERIOR COURTS, AND LAW CASES IN THE COUNTY COURT.

	1905	1906	1907	1908	1909	1910	1911	1912	1913	1914	1915
Municipal Court	.....	.....	667,771.98	722,804.57	825,323.65	961,940.82	1,004,237.17	1,081,561.08	1,052,494.01	1,092,139.32	985,800.54
Circuit Court	119,848	120,841	81,096.00	90,541.00	98,757.00	113,003.00	114,043.00	116,035.00	130,029.00	108,754.00	134,495.74
Superior Court	100,307	97,022	94,145.00	72,746.00	88,724.00	98,579.00	105,247.00	102,182.00	91,909.00	96,251.00	90,614.30
County Court	39,197	44,103	40,490.00	36,701.00	34,387.00	32,034.00	29,871.00	30,068.00	48,100.00	55,275.00	50,371.57
Totals	$259,352	$261,966	$883,522.98	$922,792.57	$1,047,191.65	$1,205,556.82	$1,253,398.17	$1,329,846.08	$1,322,532.01	$1,352,419.32	$1,261,282.15

DISPOSITION OF CIVIL SUITS, FIRST AND SECOND DISTRICTS

1914 and 1915.

	Non-Suits.		Dismissed.		Minor Settlements. (Jury Trials.)		Trial by Jury.		Confessions.		Trial by Court.		Default.		Totals.	
	1914	1915	1914	1915	1914	1915	1914	1915	1914	1915	1914	1915	1914	1915	1914	1915
December, 1913	107	94	1,326	986	48	27	165	100	454	380	1,130	868	1,702	1,649	4,932	4,104
January	111	132	1,278	1,285	41	29	167	127	476	466	1,095	1,464	1,562	1,593	4,730	5,096
February	137	70	1,180	1,110	27	32	154	96	386	392	1,058	1,252	1,600	1,683	4,542	4,635
March	156	143	1,297	1,622	31	26	195	115	429	517	1,464	1,967	1,907	2,284	5,479	6,674
April	135	126	1,342	1,542	25	25	168	121	488	522	1,375	1,910	2,128	2,158	5,661	6,404
May	120	110	1,265	1,256	23	21	134	110	407	508	1,386	1,707	2,008	1,818	5,343	5,530
June	135	118	1,334	1,191	35	34	156	55	512	485	1,492	1,527	1,996	1,995	5,660	5,405
July	60	89	882	960	22	33	23	24	498	414	1,061	1,232	1,825	1,854	4,371	4,606
August	14	27	702	921	28	18	13	10	487	425	625	1,036	1,807	1,790	3,676	4,227
September	55	44	4,940	5,022	31	18	79	65	521	473	1,011	1,026	2,000	1,874	8,637	8,522
October	96	106	1,950	2,633	32	18	150	192	556	553	1,389	1,252	2,139	1,846	6,292	6,600
November	74	114	1,160	1,454	28	36	85	194	473	525	998	1,325	1,927	1,881	4,745	5,529
December 1, 1915	19	17	273	191	13	2	18	26	93	95	255	169	294	196	965	696
Second District	25	38	399	344	.....	.....	38	23	.....	.....	219	394	269	510	950	1,309
Total	1,244	1,228	19,328	20,517	384	319	1,545	1,258	5,780	5,755	14,538	17,129	23,164	23,131	65,983	69,337

COMPARATIVE STATEMENT OF GROWTH OF WORK IN THE COURT, AND COST PER CASE.

The following table shows the growth of the business of the court for the nine years last past, being a statement of the total amount of judgments in civil cases, the receipts and expenditures of the court, in the aggregate, and the cost of judge's, clerk's and bailiff's salaries for each case disposed of:

Year.	Amount of Money Judgments, Civil Suits.	Receipts in Net Earnings.	Total Expenditures for all Purposes.
1907	$1,501,460.71	$599,703.52	$650,721.95
1908	3,268,361.94	604,456.33	743,343.11
1909	3,757,090.55	559,597.93	738,691.16
1910	3,593,683.40	609,049.44	756,265.14
1911	4,096,254.58	588,348.35	768,492.66
1912	4,040,544.52	646,649.91	758,796.85
1913	4,660,627.99	722,063.77	821,327.64
1914	5,543,691.41	738,542.08	855,659.48
1915	5,817,373.27	653,152,87	875,017.62

Year	Civil, Criminal and Quasi-Criminal Cases Filed.	Civil, Criminal and Quasi-Criminal Cases Disposed of.	Cost in Judges' Salaries Per Case.	Cost in Clerks' Salaries Per Case.	Cost in Bailiffs' Salaries Per Case.
1907	97,718	89,104	$1.94	$1.53	$1.39
1908	124,136	121,775	1.49	1.31	1.23
1909	125,713	126,861	1.43	1.39	1.31
1910	136,230	136,571	1.38	1.36	1.23
1911	147,055	143,661	1.26	1.33	1.18
1912	159,900	162,608	1.10	1.32	1.12
1913	180,030	179,365	1.13	1.31	1.12
1914	204,532	200,031	.99	1.22	1.04
1915	203,620	200,308	1.07	1.25	1.11

VIOLATIONS OF CITY ORDINANCES AND BASTARDY CASES.

Disposed of During 1914, By Branch Courts.

	Harrison	Desplaines	Maxwell	35th Street	Englewood	Hyde Park	South Chicago	West Chicago	East Chicago	Sheffield	Shakespeare	Criminal Court Branch No. 1	Branch No. 3	Domestic Relations	Auto Speed Branch	Morals Branch	Stock Yards	Boys Court	Totals
Buildings, unsafe							1						75						76
Carrying concealed weapons	159	68	103	64	31	47	46	77	66	32	30	71	16	1		11	41	138	1001
Coal—short weight													3						3
Cream—under grade							3						13						16
Disorderly conduct	7,650	8,436	5,500	3,362	2,467	2,811	1,905	4,184	3,459	2,289	2,788	2,156	251	160	8	2,046	2,546	3,985	56,009
False weights and measures		4	13	8	16	16	4	12	13	2	13	4	45				14	23	187
Fire escape													17						17
Gambling	1,437	346	267	91	73	177	11	170	186	32	203	512	3			5	45	206	3,764
Immoral exhibitions				1	1	1		1		1		2				6			13
Indecent exposure	2	16	8	2	6	4	2	9	4	9	9	3	3			26	3	6	112
Inmates and keeping gambling house	6	78	117	22	15	30	4	17	40	17	39	13			1		4	28	431
Keeping slot machine		3	7		10			3	5	1		1				2		4	36
Keeping house of ill-fame							49				4	6	55			3,006			3,120
Keeping disorderly house	45	101	8	5	9	85	47		8	1		14	92			4,728		48	5,191
Markets—unclean premises													2						2
Milk—adulterated																			
Milk—under grade													133						133
Milk dealers—unclean premises													49						49
Night walkers						2	1						5			2,085			2,093
Smoke nuisance													406						406
Vagabonds	577	9	13	6	33	6	17	16	26	4	5	90	26			4	6	27	865
Water closets—unclean													17						17
Violating other city ordinances	1,570	995	2,838	809	1,436	450	577	844	525	952	1,389	270	5,670	239	8,749	75	1,072	728	29,188
Violating park ordinances	208	182	54	6	29	103	6	9	26	53	46	28	3		14	12	21	95	895
Bastardy cases			12		2	1	14	3			1	2	59	389	1	1		6	491
Totals	11,660	10,238	8,940	4,376	4,128	3,733	2,687	5,345	4,358	3,393	4,527	3,172	6,943	789	8,773	12,007	3,752	5,294	104,115

FELONY, MISDEMEANOR AND QUASI-CRIMINAL CASES FILED AND DISPOSED OF AND MANNER OF DISPOSITION—1914-1915

1914	NEW SUITS FILED				CASES DISPOSED OF																				
					FELONY						QUASI-CRIMINAL								MISDEMEANOR							
	Quasi-Criminal	Felony	Misdemeanor	Total	Discharged	Held to C. C.	Nolle Pros.	Discharged Wt. Pros.	Discharged Def. Not Fd.	Total	Discharged	Fined	County Jail	House Correction	Non-Suit	Discharged Wt. Pros.	Probation	Total	Discharged	Fined	County Jail	House Correction	Nolle Pros.	Discharged Wt. Pros.	Probation	Total	Total Cases Disposed of
December, 1913	8,901	928	1,773	11,602	210	398	135	71	66	880	4,187	2,619	.....	1,106	619	472	226	9,229	449	515	13	262	59	146	183	1,627	11,736
January, 1914	8,051	866	1,736	10,653	177	334	126	70	4	711	3,468	2,236	3	1,150	693	378	99	8,027	290	521	13	285	97	131	185	1,522	10,260
February	7,836	759	1,397	9,992	148	248	112	42	.....	550	3,275	3,247	6	681	573	202	58	8,042	348	340	35	227	83	119	177	1,329	9,921
March	9,166	842	2,037	12,045	225	281	125	47	1	679	3,771	3,445	4	1,050	359	272	88	8,989	415	879	22	234	114	135	169	1,968	11,636
April	7,779	931	2,238	10,748	249	245	88	48	.....	630	3,690	2,529	4	941	647	233	63	8,107	556	789	8	236	73	126	167	1,955	10,692
May	7,016	701	2,237	9,954	228	247	77	54	1	607	3,406	1,987	6	950	375	317	36	7,077	762	727	27	196	65	157	145	2,079	9,763
June	9,033	777	2,107	11,917	213	235	151	53	.....	652	4,371	2,268	4	1,009	587	390	58	8,687	629	672	9	255	83	156	205	2,009	11,348
July	9,877	896	1,883	12,656	189	335	140	96	2	762	4,604	2,621	1	1,028	649	442	68	9,413	411	523	12	254	55	181	162	1,598	11,773
August	8,842	877	1,795	11,514	252	264	81	61	.....	658	4,425	2,326	2	1,073	531	403	23	8,783	427	520	16	187	34	213	143	1,540	10,981
September	9,024	866	2,108	11,998	283	350	75	70	1	779	4,414	2,254	3	950	596	428	50	8,695	501	639	10	213	42	209	138	1,752	11,226
October	9,299	977	2,023	12,299	246	373	94	119	.....	832	4,451	2,636	4	1,038	735	497	16	9,377	456	579	12	244	52	205	169	1,717	11,926
November	7,738	835	1,839	10,412	259	364	67	91	.....	781	4,021	1,834	4	1,000	751	539	26	8,175	498	601	12	246	72	248	181	1,858	10,814
December 1 to 5, incl.	1,306	183	296	1,785	57	61	11	23	.....	152	804	336	.....	205	75	81	13	1,514	96	68	3	52	11	41	35	306	1,972
Totals	103,868	10,238	23,469	137,575	2,736	3,735	1,282	845	75	8,673	48,887	30,338	41	12,181	7,190	4,654	824	104,115	5,838	7,373	192	2,891	840	2,067	2,059	21,260	134,048
December 7-30, 1914	6,120	738	1,324	8,182	205	314	57	.....	103	679	3,229	1,083	4	859	527	285	45	6,032	415	272	14	259	117	186	124	1,387	8,098
January, 1915	7,111	936	1,467	9,514	236	358	85	.....	126	805	3,543	1,566	6	1,141	578	293	78	7,205	413	231	12	291	49	210	106	1,312	9,322
February	5,458	802	1,369	7,629	207	271	59	.....	141	678	2,889	1,058	4	1,019	191	315	62	5,538	345	259	7	262	43	176	121	1,313	7,429
March	7,384	1,008	2,127	10,519	277	350	77	.....	188	892	3,994	1,235	1	1,049	381	359	110	7,129	667	641	14	293	90	195	164	2,064	10,085
April	7,947	907	2,219	11,073	213	369	99	.....	136	817	3,706	1,273	10	1,190	769	343	70	7,361	539	780	4	291	106	213	117	2,050	10,228
May	9,492	779	2,267	12,538	194	279	76	.....	100	649	4,399	1,981	1	1,247	1,158	383	68	9,237	576	877	8	269	66	191	135	2,122	12,008
June	9,924	853	2,415	13,192	248	298	49	.....	129	724	5,058	2,281	2	1,210	605	497	79	9,732	604	937	13	266	53	263	156	2,292	12,748
July	8,867	891	2,219	11,977	228	366	44	.....	110	748	4,218	2,507	3	1,204	635	446	55	9,068	476	960	12	254	71	188	129	2,090	11,906
August	10,886	801	2,529	14,216	215	295	42	.....	119	671	5,565	2,837	7	1,059	553	461	72	10,554	525	1,081	3	269	32	233	107	2,250	13,475
September	10,997	757	2,258	13,112	209	280	44	.....	120	653	5,044	1,811	2	1,136	632	564	68	9,257	650	700	10	222	38	234	138	1,992	11,902
October	9,007	709	2,437	12,153	167	262	53	.....	117	599	5,097	1,529	2	851	636	533	64	8,712	731	683	7	253	50	217	161	2,102	11,413
November	8,569	670	2,277	11,516	160	245	50	.....	130	585	4,561	1,431	5	847	712	669	54	8,279	758	717	4	203	63	228	138	2,111	10,975
December 1 to 5, incl.	1,030	105	335	1,470	45	34	9	.....	15	103	472	150	.....	102	241	58	7	1,030	88	79	.....	31	2	22	27	249	1,382
Totals	101,892	9,956	25,243	137,091	2,604	3,721	744	.....	1,534	8,603	51,775	20,742	47	12,914	7,618	5,206	832	99,134	6,787	8,217	108	3,163	780	2,556	1,623	23,234	130,971

VIOLATIONS OF CITY ORDINANCES AND BASTARDY CASES

Disposed of During 1915 by Branch Courts.

	Branch No. 3.	Boys' Court.	Domestic Relations	Morals Branch.	Auto Speed Branch.	Harrison Street.	Desplaines Street.	East Chicago Ave.	West Chicago Ave.	Maxwell Street.	Sheffield Ave.	Shakespeare Ave.	35th Street.	Stock Yards.	Englewood.	Hyde Park.	South Chicago.	Jury Branch.	Night Court.	Total.
Buildings unsafe	168																16			184
Carrying concealed weapons	17	120		10		120	59	59	57	110	23	22	19	68	34	25	29	55	6	833
Coal—short weight	59																			59
Cream—under grade	7					2														9
Disorderly conduct	149	4,121	176	2,916	17	7,757	7,714	3,283	4,127	4,988	2,353	2,280	1,735	4,728	2,192	2,437	1,301	2,335	427	55,036
False weights and measures	129	31				3		2	4	5	8	12	7	22	35	2		4		262
Fire escapes	51																			51
Gambling		261				1,318	316	345	130	280	102	88	94	111	11	71	28	231	39	3,425
Immoral exhibitions																				
Indecent exposure	3	2		4		10	9	4	8	9	10	7	7	7	7	17	2	9		115
Keeping gambling house		26					20	3	9	23	9	13	16	6	2	1		7		135
Keeping slot machine	13		1					1	2	5	6			1	4	1				34
Keeping house of ill-fame		1		213												1	10	14	2	241
Keeping disorderly house	68	26	2	6,536		11	7	14	12	4		2	32	64	7	20	45	841		7,691
Market—unclean premises																				
Milk—adulterated																				
Milk—undergrade	211																			211
Milk dealers—unclean premises	49			1																50
Night walkers	3			2,016		3	1											81	150	2,254
Smoke nuisance	244																			244
Violating park ordinances	1	175		33	177	140	44	23	9	43	35	45	9	23	1	27	2	40	41	868
Vagabonds	7	65		2		632	14	42	25	24	12	50	1	51	10	14		105	280	1,334
Water closets—unclean								1												1
Violating other city ordinances	5,816	609	63	97	10,864	653	431	363	419	2,237	582	886	204	927	336	388	347	397	18	25,637
Bastardy cases	29		407			1					2				7	1	13			460
Totals	7,024	5,437	649	11,828	11,058	10,650	8,615	4,140	4,802	7,728	3,142	3,405	2,124	6,008	2,644	3,005	1,793	4,119	963	99,134

FELONIES.

Cases Disposed of During 1914, by Branch Courts.

	Harrison	Desplaines	Maxwell	35th Street	Englewood	Hyde Park	South Chicago	West Chicago	East Chicago	Sheffield	Shakespeare	Criminal Court & Branch No. 1	Branch No. 3	Domestic Relations	Auto Speed Branch	Morals Branch	Stock Yards	Boys Court	Totals
Abduction	.....	4	.....	1	.....	.....	.....	.....	3	1	.....	.....	2	1	.....	13	.....	2	27
Abortion	1	.....	2	1	2	2	.....	6	8	1	3	.....	2	2	.....	1	2	1	34
Arson	22	2	.....	3	1	5	.....	2	4	1	3	.....	.....	.....	.....	.....	2	4	49
Assault with intent to kill	77	41	55	32	10	12	8	18	15	15	5	2	4	.....	.....	.....	19	32	345
Bigamy	10	5	2	1	1	5	1	3	3	3	2	.....	1	4	.....	.....	.....	.....	41
Bribery	2	.....	3	2	.....	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	9
Burglary	195	179	140	74	94	186	29	78	92	76	72	.....	1	.....	.....	.....	65	575	1,856
Confidence game	359	62	71	50	34	63	18	60	73	58	21	2	30	.....	1	1	31	25	959
Conspiracy	46	3	4	2	.....	7	.....	.....	.....	8	.....	.....	9	.....	.....	.....	.....	1	80
Crime against nature	.....	10	.....	4	3	2	1	2	4	6	5	.....	9	64	.....	1	.....	6	117
Enticing—permitting female in house of prostitution	2	.....	.....	.....	3	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	6
Embezzlement	69	13	13	11	17	7	1	17	8	15	6	1	4	.....	.....	.....	1	7	190
Forgery	39	5	7	2	3	2	.....	2	2	3	1	.....	2	.....	.....	.....	1	7	76
Gaming house	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	1
Horse Stealing	2	1	1	1	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	2	1	9
Incest	.....	3	2	.....	5	.....	1	6	2	.....	.....	2	.....	1	1	.....	1	.....	24
Larceny	593	197	182	110	55	97	27	76	117	80	63	2	32	1	3	22	49	287	1,993
Murder	25	12	7	8	2	6	6	13	12	5	9	.....	1	.....	.....	.....	4	10	120
Manslaughter	.....	2	7	1	8	.....	4	5	7	1	2	.....	2	.....	.....	.....	3	1	43
Obtaining money by false pretenses, instituted as felony cases	9	4	4	5	3	1	.....	6	10	3	18	.....	7	.....	.....	.....	5	3	78
Perjury	7	.....	3	1	2	2	1	.....	2	2	.....	1	8	1	.....	.....	.....	.....	30
Rape	26	21	29	24	8	9	21	27	17	12	15	.....	15	15	.....	.....	21	60	320
Robbery	262	198	124	89	35	54	16	87	85	16	41	.....	1	1	.....	.....	53	253	1,315
Receiving stolen property	75	31	42	28	15	35	11	26	34	8	16	1	8	.....	.....	.....	13	58	401
Other felonies	89	58	64	22	26	77	20	59	18	6	5	2	14	8	.....	10	30	42	550
Totals	1,910	851	762	470	328	573	165	494	516	320	288	14	152	99	5	49	302	1,375	8,67ε

FELONIES

Cases Disposed of During 1915 by Branch Courts.

	Branch No. 3.	Boys' Court.	Domestic Relations	Morals Branch.	Auto Speed Branch.	Harrison Street.	Desplaines Street.	East Chicago Ave.	West Chicago Ave.	Maxwell Street.	Sheffield Ave.	Shakespeare Ave.	35th Street.	Stock Yards.	Englewood.	Hyde Park.	South Chicago.	Jury Branch.	Night Court.	Totals.
Abduction	1			2		4	1						1		1	1				11
Abortion			2			6	4	3	5	6	6	13		1	1					47
Arson		4				15	2	6		17	3	3	3	18	3	2				76
Assault with intent to kill	5	19				51	28	17	22	56	8	16	13	26	12	19	7	2		301
Bigamy			4			10	4	1	2	5	1	1		2						30
Bribery		4		1		1	1				3	1	1	14		1		1		28
Burglary	1	627	1			151	127	101	95	142	79	61	24	83	64	99	22		1	1,678
Confidence game	15	44				377	73	40	60	91	32	42	31	84	31	71	2	5	4	1,002
Conspiracy	1	3				26	5	1	6	8	1	11	2	2	3	6				75
Crime against nature	4	10	22			2	5		3	6	2	11	4	2		5			1	77
Enticing—permitting female in house of prostitution							1													1
Embezzlement	6	6				88	25	13	14	15	16	14	1	9	8	10	1	1		227
Forgery	1	12				66	3	2	2		4	2		1	3	5	2	1		104
Gaming house																				
Horse stealing		2					1					1		1	1					6
Incest			1	1			1			1	1	1		1	1		1			9
Larceny	20	357	1	15	1	537	154	97	106	199	48	75	71	119	62	138	34	1	7	2,042
Murder	4	25		1		12	5	11	11	2		1	8	9	4	5	2			100
Manslaughter		1				4	2	2	6	3	6	2	2	4	2	1	7			42
Obtaining money by false pretenses						3	4	3		7	1	1		2		3	2			26
Perjury	1					9			1	1		1			1		1			15
Rape	8	48	9	1		31	15	13	11	24	7	28	9	16	13	10	15		1	259
Robbery		506		2		156	174	56	63	156	32	43	41	121	28	152	10		2	1,542
Receiving stolen property	8	66				68	20	29	16	35	4	10	15	23	17	31	7			349
Other felonies	6	50	1	13		111	39	44	66	58	15	24	15	35	11	59	7	1	1	556
Totals	81	1,784	41	36	1	1,728	694	439	489	832	269	362	241	573	266	618	120	12	17	8,603

MISDEMEANORS

Cases Disposed of During 1914 by Branch Courts.

	Harrison	Desplaines	Maxwell	35th Street	Englewood	Hyde Park	South Chicago	West Chicago	East Chicago	Sheffield	Shakespeare	Criminal Court Branch No. 1	Branch No. 3	Domestic Relations	Auto Speed Branch	Morals Branch	Stock Yards	Boys' Court	Totals
Abandonment	2	1				3	34			1			88	1,026	1			1	1,157
Adulteration of foods									2				89						91
Adultery and fornication	1			1	2		8	1	3			5	21	3		484	1	4	534
Assault and Battery	141	69	173	41	22	24	21	22	42	18	37	83	5	6	1	4	49	55	813
Assault with deadly weapon	228	114	227	131	117	73	78	144	82	64	63	134	36	2	2	4	119	130	1,748
Automobiles	5		1	2		1	368			2	2		10		6,504			10	6,905
Child Labor													349						349
Children—delinquent and dependent	2	1			2		36		2				105	1,982	1	1		21	2,153
Cruelty to animals					2														2
Cocaine	9											16	2						27
Dental													3						3
Employment of females													446				1		447
False pretenses	128	103	43	29	34	23	10	63	14	26	55	44	16	1			12	10	611
Fish and Game					11		9												20
Gambling									1										1
Kidnaping																			
Larceny	862	447	337	295	96	183	176	168	176	102	129	228	50	1	2	17	191	585	4,045
Lotteries																			
Malicious mischief	27	26	27	19	6	1	7	27	10	8	4	6					14	21	203
Obscene books											1					1			2
Pharmacy																			
Pandering		1		1															
Receiving stolen property	50	27	57	31	12	16	17	30	10	3	18	22	3			36		1	42
Seduction	2											3	8				16	56	373
Vagrancy	45	28	24	5	3	8		2	3	4		45	1	3		10		1	20
Other misdemeanors	160	85	131	38	112	73	40	63	72	28	36	79	5		1	11		21	205
Total	1,662	902	1,020	593	419	405	804	520	417	256	345	665	343	49	1	21	59	119	1,509
													1,580	3,073	6,513	589	462	1,035	21,260

MISDEMEANORS

Cases Disposed of During 1915 by Branch Courts.

	Branch No. 3.	Boys' Court.	Domestic Relations	Morals Branch.	Auto Speed Branch.	Harrison Street.	Desplaines Street.	East Chicago Ave.	West Chicago Ave.	Maxwell Street.	Sheffield Ave.	Shakespeare Ave.	35th Street.	Stock Yards.	Englewood.	Hyde Park.	South Chicago.	Jury Branch.	Night Court.	Totals.
Abandonment	24	.....	1,872	1	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	32	.....	...	1,931
Adulteration of food	111	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	...	112
Adultery and fornication	5	.....	1	.....	.....	2	.....	2	1	1	1	.....	.....	.....	4	5	8	15	2	304
Assault and battery	2	47	3	257	1	115	30	41	27	117	24	34	31	34	16	6	14	78	2	623
Assault with deadly weapon	18	117	1	1	2	190	136	105	136	230	66	66	57	200	71	68	56	118	2	1,651
Automobiles	1	1	.....	12	8,861	1	.....	.....	.....	.....	2	1	.....	.....	4	1	290	.....	...	9,162
Child labor	111	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	...	113
Children delinquent and dependent	14	2	1,324	2	1	.....	.....	.....	.....	.....	.....	2	.....	1	.....	3	22	.....	...	1,371
Cruelty to animals	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...	.....
Cocaine	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	4	...	4
Dental	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...	.....
Employment of female	257	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...	257
False pretenses	13	51	1	.....	.....	167	55	34	37	62	66	78	7	19	18	38	5	54	...	705
Fish and game	.....	.....	.....	.....	.....	4	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	...	5
Gambling	.....	.....	.....	.....	.....	.....	28	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	1	...	30
Kidnaping	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	...	2
Larceny	52	869	.....	44	.....	776	278	191	221	265	153	99	112	286	133	157	184	203	8	4,031
Malicious mischief	3	35	.....	.....	.....	22	17	12	24	33	13	8	7	22	1	3	6	17	...	223
Obscene books	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	1	...	2
Pandering	6	.....	.....	48	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	.....	.....	11	...	67
Pharmacy	5	.....	.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	...	7
Receiving stolen peoperty	6	63	.....	.....	.....	35	5	17	25	44	5	7	13	30	17	19	15	15	...	316
Seduction	.....	2	5	1	.....	.....	.....	.....	.....	1	.....	.....	.....	1	.....	.....	.....	.....	...	10
Vagrancy	28	30	.....	.....	.....	86	18	2	2	6	.....	3	7	1	1	7	1	96	3	291
Other misdemeanors	430	248	33	131	3	246	65	35	107	155	31	46	35	73	26	68	32	151	2	2,017
Totals	1,086	1,465	3,240	479	8,868	1,649	633	439	580	915	364	344	269	667	291	375	667	866	19	23,234

RELEASES.

By Habeas Corpus.

Of persons sentenced by the Municipal Court during the past two years there have been released on writs of habeas corpus:

	1914	1915
From the House of Correction	2	4
From the County Jail	15	12
	17	16

By Pardon.

Of the offenders sentenced to the House of Correction during the past two years, there have been released by pardon the following:

	1914	1915
In state cases	7	1
In city cases	375	362
	382	363

BONDS FORFEITED.

During the years 1914 and 1915, the number of bonds forfeited in the Municipal Court was:

	1914	1915
In city cases	70	30
In state cases	225	165
	295	195

NUMBER OF PERSONS ARRESTED IN THE CITY OF CHICAGO.

Following is a compilation, from the statistics of the Police Department and records of the Justices of the Peace, showing the number of persons arrested during the two years previous to the existence of the Municipal Court, as compared with the number of arrests during the past nine years:

Under Justice of the Peace Regime.

December 1, 1904, to November 30, 1905, inclusive	67,582	
Plus arrests by constables	11,000	
Total		78,582
December 1, 1905, to November 30, 1906, inclusive	79,301	
Plus arrests by constables	13,560	
Total		92,761

Under Municipal Court Regime.

1907	57,490
1908	63,993
1909	66,397
1910	76,585
1911	78,995
1912	83,853
1913	104,760
1914	112,868
1915	113,319

GRAND JURY DOCKET AND COMPLAINT CASES.

In the Criminal Court the grand jury docket and complaint cases show a decrease of 350 over last year and an increase of 250 over the year before.

The figures are as follows:

	——Number of Cases——		
	Docket	Complaint	Total
1906	3,656	908	4,564
1907	2,244	730	2,974
1908	2,839	798	3,637
1909	2,720	849	3,569
1910	2,654	340	2,994
1911	2,873	287	3,160
1912	2,848	329	3,177
1913	3,308	433	3,741
1914	3,943	398	4,341
1915	3,021	970	3,991

AMOUNT OF FINES ASSESSED.

The total amount of fines assessed for the year December 1, 1912, to November 30, 1913, was $728,619.00. This is $189,004.00 more than last year.

The following table shows the amount of fines assessed against offenders during the years 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914 and 1915:

Under the Justice of the Peace Regime.

December 1, 1904, to November 30, 1905, inclusive	$429,693.00
December 1, 1905, to November 30, 1906, inclusive	536,675.00

Under the Municipal Court Regime.

1907	$468,124.00	1912	539,615.00
1908	394,265.00	1913	728,619.00
1909	368,678.00	1914	805,687.00
1910	437,333.00	1915	813,957.00
1911	512,184.00		

AMOUNT OF FINES COLLECTED.

1907	$206,746.26	1912	234,115.00
1908	171,810.28	1913	262,433.00
1909	158,711.37	1914	251,537.00
1910	193,995.33	1915	206,073.00
1911	188,028.40		

DISPOSITION OF MISDEMEANOR, QUASI-CRIMINAL AND FELONY CASES.

	1915.	1914.	1913.	1912.	1911.	1910.	1909.	1908.
Felonies:								
Defendant not apprehended	.....	1.0%	11.7%	14.2%	19.8%	11.0%		
Dismissed, want of prosecution	17.9%	9.5%	9.1%	6.8%	4.1%	3.2%	62.3%	56.0%
Nolle Prosequi	8.6%	14.9%	16.1%	23.7%	22.8%	18.7%		
Discharged	30.2%	31.6%	25.7%	19.8%	22.4%	29.2%		
Held to Criminal Court	43.3%	43.0%	37.4%	35.5%	30.9%	37.9%	37.7%	41.0%
Held to Juvenile Court	.....	.....	.....	.....	.....	.....	.....	3.0%
Misdemeanors:								
Probation	7.0%	9.7%	.....	.....	.....	.....	.....	.....
Defendant not apprehended	.....	.....	4.4%	10.9%	11.7%	12.9%		
Dismissed, want of prosecution	11.0%	9.7%	8.7%	8.8%	6.5%	6.3%	63.8%	59.7%
Nolle Prosequi	3.3%	3.9%	5.8%	15.7%	18.2%	15.8%		
Discharged	29.2%	27.5%	28.8%	23.6%	22.2%	24.3%		
Fined	35.4%	34.7%	40.0%	28.0%	28.5%	23.5%	13.6%	19.0%
Committed to House of Correction and County Jail	14.1%	14.5%	12.3%	13.0%	12.9%	17.2%	22.6%	21.3%
Quasi-Criminal Cases:								
Probation	.8%	.8%	.....	.....	.....	.....	.....	.....
Defendant not apprehended	.....	.....	1.9%	3.2%	3.7%	2.9%		
Dismissed, want of prosecution	5.2%	4.5%	4.4%	3.8%	2.9%	2.3%	58.9%	54.5%
Non-suits	7.7%	6.9%	5.7%	13.4%	9.1%	9.0%		
Discharged	52.2%	46.9%	47.1%	44.5%	45.7%	42.7%		
Fined	21.0%	29.2%	28.0%	23.5%	22.3%	26.0%	24.6%	26.0%
Committed to House of Correction and County Jail	13.1%	11.7%	12.9%	11.6%	16.3%	17.1%	16.5%	19.5%
Criminal and Quasi-Criminal Cases:								
Probation	1.9%	2.2%	.....	.....	.....	.....	.....	.....
Defendant not apprehended	.....	.....	2.9%	5.1%	6.4%	4.7%		
Dismissed, want of prosecution	7.1%	5.6%	5.4%	4.7%	3.5%	2.9%		
Non-suits	5.8%	5.3%	4.4%	10.5%	7.1%	7.1%	59.9%	55.4%
Nolle Prosequi	1.2%	1.6%	2.0%	4.0%	4.7%	3.4%		
Discharged	46.7%	42.9%	42.7%	39.6%	40.3%	39.5%		
Fined	22.1%	28.1%	28.1%	22.6%	20.8%	23.5%	21.2%	22.4%
Committed to House of Correction and County Jail	12.4%	11.4%	12.0%	11.1%	14.0%	15.7%	15.8%	17.8%
Held to Criminal Court	2.8%	2.9%	2.5%	2.4%	3.2%	3.2%	3.1%	4.2%
Held to Juvenile Court	.....	.....	.....	.....	.....	.....	.....	.2%

RESULTS OF JURY TRIALS IN CRIMINAL AND QUASI-CRIMINAL CASES.

The jury trials in criminal and quasi-criminal cases for the years 1914 and 1915 resulted as follows:

	Verdicts of Guilty.	Verdicts of Not Guilty.	Disagreements.	Total.
1914	421	123	6	550
1915	428	288	8	724

NUMBER OF OFFENDERS PUNISHED BY HOUSE OF CORRECTION AND COUNTY JAIL SENTENCES.

	Sentenced to House of Correction.	Sentenced to County Jail.	Total.
1906. By Justices of the Peace and Criminal Court	8,876	480	9,356
1907. By Municipal Court	10,148	635	10,783
1908. By Municipal Court	12,556	769	13,325
1909. By Municipal Court	12,239	125	12,470
1910. By Municipal Court	13,665	240	13,790
1911. By Municipal Court	12,772	275	13,047
1912. By Municipal Court	11,564	200	11,764
1913. By Municipal Court	14,274	189	14,463
1914. By Municipal Court	15,072	233	15,305
1915. By Municipal Court	16,077	155	16,232

CLASSIFICATION OF OFFENSES.

Following is a classification of offenses for which persons were arrested for the past eight years. These figures include cases for violations of city ordinances brought by summons, as well as by warrant:

1908—	Felonies.	Misdemeanors.	Violation of City Ordinances.	Total.
Filed	8,249	10,187	56,698	75,134
Disposed of	7,721	10,467	56,742	74,930
1909—				
Filed	6,524	10,057	62,019	78,600
Disposed of	6,460	10,130	61,781	78,371
1910—				
Filed	7,701	9,559	70,703	87,963
Disposed of	7,618	9,825	70,479	87,922
1911—				
Filed	9,631	12,012	72,189	93,832
Disposed of	9,526	11,770	71,434	92,730
1912—				
Filed	7,457	15,822	80,979	104,258
Disposed of	7,362	15,888	83,119	106,369
1913—				
Filed	8,399	20,291	92,476	121,166
Disposed of	8,102	19,520	93,711	121,333
1914—				
Filed	10,238	23,469	103,868	137,575
Disposed of	8,673	21,260	104,115	134,048
1915—				
Filed	9,956	25,243	101,892	137,091
Disposed of	8,603	23,234	99,134	130,971

Felony cases during the years 1914 and 1915, compared with previous years:

	1908.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
Abduction	20	19	29	38	36	22	27	11
Abortion	15	21	15	17	21	24	34	47
Arson	40	14	44	68	108	138	49	76
Assault with intent to kill	377	271	227	376	319	344	345	301
Bigamy	25	31	34	25	37	32	41	30
Bribery	17	10	5	13	6	17	9	28
Burglary	1,614	1,334	1,128	1,339	1,151	1,320	1,856	1,678
Confidence game	645	804	753	1,149	924	1,035	959	1,002
Conspiracy	48	66	24	59	30	72	80	75
Crime against nature	73	31	24	55	49	68	117	77
Enticing female into house of prostitution	..	1	3	2	8	5	6	1
Permitting female in house of prostitution	14	.....	.....	.....	.....	.....	.....	.....
Embezzlement	179	127	166	294	193	240	190	227
Forgery	105	103	66	106	100	89	76	104
Gaming house	..	2	.....	.....	.....	.....	1	.....
Horse stealing	38	33	30	26	17	40	9	6
Incest	8	9	11	14	13	25	24	9
Larceny	2,213	1,716	3,077	3,718	2,256	2,150	1,993	2,042
Murder	43	106	137	116	87	103	120	100
Manslaughter	34	16	22	25	40	46	43	42
Obtaining money under false pretenses	270	50	1	168	67	68	78	26
Perjury	32	20	8	32	29	25	30	15
Rape	265	278	267	261	347	303	320	259
Robbery	657	882	839	968	1,015	1,178	1,315	1,542
Receiving stolen property	258	191	145	292	194	307	401	349
Other felonies	731	325	563	365	315	451	550	556
	7,721	6,460	7,618	9,526	7,362	8,102	8,673	8,603

COMPARISON

Of misdemeanor cases during the years 1914 and 1915, with previous years.

	1908.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
Abandonment	1,063	1,423	1,548	1,769	1,612	1,472	1,157	1,931
Adulteration of foods	98	22	44	67	96	54	91	112
Adultery and fornication	252	247	191	402	344	512	534	304
Assault and battery	1,270	769	737	819	1,471	999	813	623
Assault with deadly weapon	555	896	1,130	1,395	1,327	1,458	1,748	1,651
Automobiles	145	294	1,049	2,996	4,132	7,231	6,905	9,162
Child labor	....	202	114	160	199	366	349	113
Children—delinquent and dependent	470	361	634	733	1,119	1,610	2,153	1,371
Cruelty to animals	44	4	2	2	.....	4	2	.....
Cocaine	9	.....	2	3	11	.....	27	4
Dental	13	.....	2	2	.....	.....	3	.....
Employment of females	....	.....	.....	173	248	353	447	257
Embezzlement	34	90	34	.....	.....	.....	.....	.....
False pretenses	321	416	357	271	358	374	611	705
Fish and game	7	3	5	2	2	5	20	5
Gambling	86	13	7	.....	.....	.....	1	30
Kidnaping	....	.....	.....	1	.....	10	.....	2
Larceny	3,233	3,316	1,545	914	2,824	2,938	4,045	4,031

	1908.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
Lotteries	25	1	2	3	4	.....	.....	.....
Malicious mischief	134	147	118	166	156	162	203	223
Obscene books	18	5	3	3	6	.....	2	2
Pandering	....	.....	92	62	72	54	42	67
Pharmacy	3	.....	.....	.....	3	14	.....	7
Receiving stolen property	199	264	113	131	167	202	373	316
Seduction	3	10	4	12	11	12	20	10
Vagrancy	166	71	176	151	165	214	205	291
Other misdemeanors	2,170	1,716	1,916	1,533	1,561	1,476	1,509	2,017
	10,467	10,130	9,825	11,770	15,888	19,520	21,260	23,234

COMPARISON

Of Violations of City Ordinances and Bastardy Cases during the years 1914 and 1915, with previous years.

	1908.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
Bastardy cases	....	488	540	552	590	419	491	460
Buildings, unsafe	104	57	107	305	360	120	76	184
Carrying concealed weapons	952	758	831	1,111	1,183	1,181	1,001	833
Coal, short weight	19	19	17	19	19	34	3	59
Cream, under grade	197	94	55	18	15	50	16	9
Disorderly conduct	42,127	44,769	53,228	52,100	47,824	53,503	56,009	55,036
False weights and measures	279	162	94	59	113	190	187	262
Fire escapes	68	5	....	17	11	6	17	51
Gambling	857	1,364	372	314	2,323	4,966	3,764	3,425
Immoral exhibitions	26	14	11	27	6	3	13	....
Indecent exposure	138	106	136	81	73	56	112	115
Inmates & keep'g gambl'g h'se	952	510	1,040	1,774	2,924	211	431	135
Keeping slot machine	40	56	2	86	28	6	36	34
Keeping house of ill-fame	70	182	134	205	1,863	3,345	3,120	241
Keeping disorderly house	447	697	934	598	1,075	1,608	5,191	7,691
Markets—unclean premises	243	27	2	21	6	9	2	....
Milk—Adulterated	191	6	32	18	....	1	....	....
Milk—under grade	860	373	218	55	246	202	133	211
Milk deal'rs—unclean pr'mises	78	106	39	1	21	103	49	50
Night walkers	1,664	1,665	1,619	1,633	1,569	1,846	2,093	2,254
Smoke nuisance	121	320	860	663	381	248	406	244
Vagabonds	....	....	....	842	703	662	865	868
Violating park ordinances	....	1,400	1,665	2,545	2,146	1,184	895	1,334
Water closets—unclean	20	50	28	6	13	26	17	1
Violat'g other city ordinances	7,292	8,553	8,559	8,384	19,627	23,732	29,188	25,637
	56,742	61,781	70,479	71,434	83,119	93,711	104,115	99,134

WORK OF THE CRIMINAL BRANCHES—COMPARED.

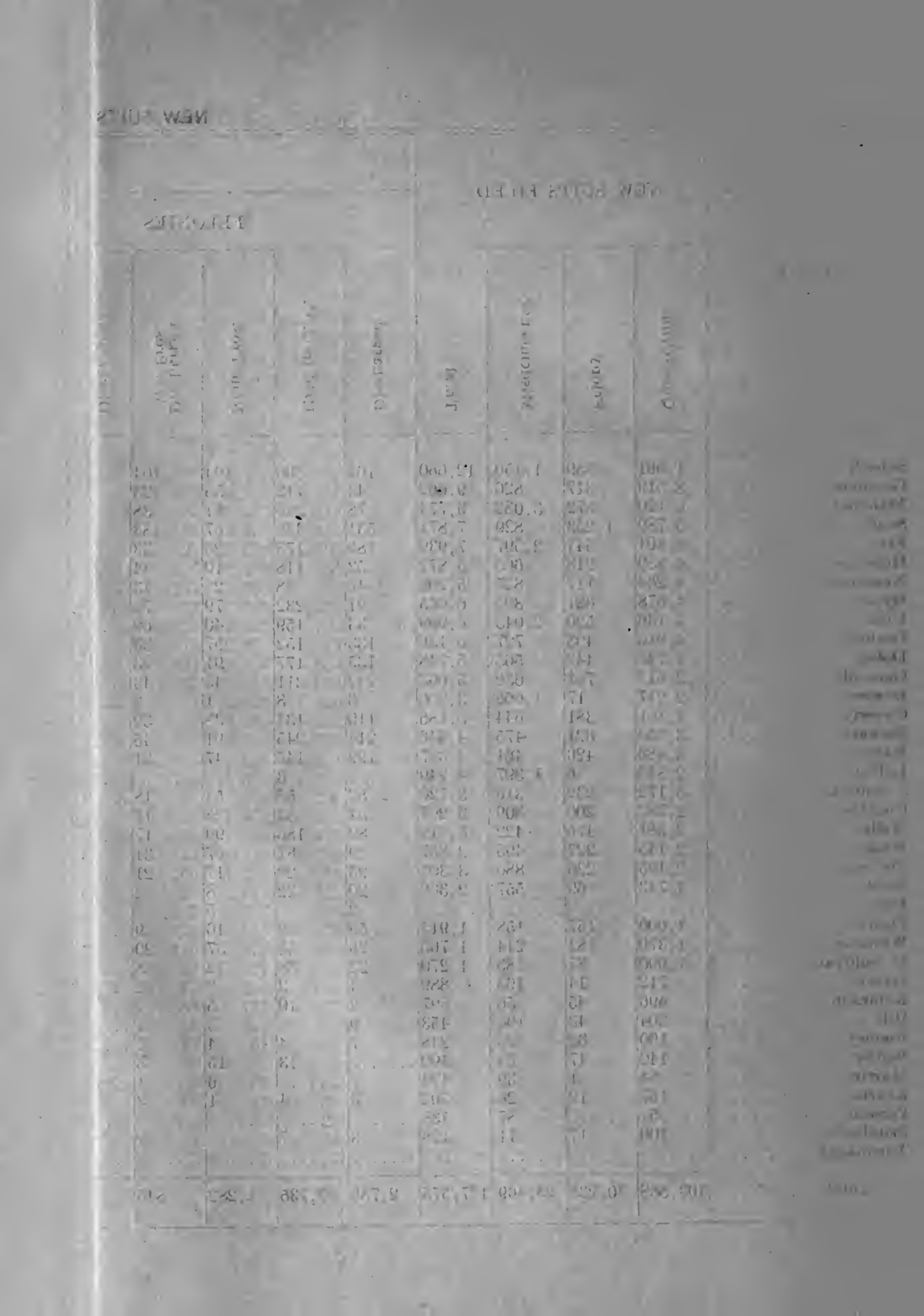
Number of Misdemeanor, Quasi-Criminal and Felony Cases Filed and Disposed of During the Years 1914 and 1915, as Compared with Previous Years.

	1907		1908		1909		1910		1911		1912		1913		1914		1915	
	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of
Misdemeanor....	15,079	13,755	10,187	10,467	10,057	10,130	9,559	9,825	12,012	11,770	15,822	15,888	20,291	19,520	23,469	21,260	25,243	23,234
Quasi-Criminal..	45,535	44,472	56,698	56,742	62,019	61,781	70,703	70,479	72,189	71,434	80,979	83,119	92,476	93,711	103,868	104,115	101,892	99,134
Total.....	60,614	58,227	66,885	67,209	72,076	71,911	80,262	80,304	84,201	83,204	96,801	99,007	112,767	113,231	127,337	125,375	127,135	122368
Felony.....	.....	.....	8,249	7,721	6,524	6,460	7,701	7,618	9,631	9,526	7,457	7,362	8,399	8,102	10,238	8,673	9,956	8,603
Totals.....	.....	.....	75,134	74,930	78,600	78,371	87,963	87,922	93,832	92,730	104,258	106,369	121,166	121,333	137,575	134,048	137,091	130,971

	1914		1915	
Number of undisposed of Misdemeanor, of Quasi-Criminal and Felony Cases at beginning of year	6,238		4,148	
Number filed during the year	137,575	143,813	137,091	141,239
Number of cases in which defendants were not apprehended	5,617		4,503	
Number disposed of during the year	134,048	139,665	130,971	135,474
Total number Misdemeanor, Quasi-Criminal and Felony Cases pending at end of year	4,148		5,765	

NEW SUITS FILED AND DISPOSED OF BY JUDGES IN CRIMINAL BRANCHES IN 1914

JUDGE	NEW SUITS FILED				CASES DISPOSED OF																				
					FELONIES						QUASI-CRIMINAL								MISDEMEANORS							
	Quasi-Crim.	Felony	Misdemeanor	Total	Discharged	Held to C. C.	Nolle Pros.	Discharged Wt. Pros.	Discharged Def. Not Fd.	Total	Discharged	Fined	County Jail	House Correction	Non-Suit	Discharged Wt. Pros.	Probation	Total	Discharged	Fined	County Jail	House Correction	Nolle Pros.	Discharged Wt. Pros.	Probation	Total	Total Cases Disposed of
Sabath	1,061	889	1,150	12,660	161	390	104	104	2	761	4,499	2,638	.....	1,333	655	684	24	9,833	253	75	11	247	50	129	79	844	11,438
Goodnow	8,519	317	826	9,662	43	112	55	23	35	268	3,466	4,416	.....	657	414	129	178	9,260	204	34	15	105	59	78	117	612	10,140
Mahoney	6,120	572	3,082	9,774	78	236	81	38	.....	433	2,755	2,141	.....	643	95	114	11	5,759	1,150	1,538	2	181	19	67	34	2,991	9,183
Scully	5,789	1,253	829	7,871	531	489	67	83	22	1,192	4,404	495	1	517	44	169	86	5,716	335	20	3	215	9	51	181	814	7,722
Fry	4,801	541	2,597	7,939	189	173	26	33	.....	421	2,095	1,691	16	377	98	310	68	4,655	296	788	1	275	11	482	319	2,172	7,248
Hopkins	4,989	218	665	5,872	53	118	10	44	1	226	1,968	3,456	.....	336	133	75	75	6,043	157	54	27	83	19	102	98	540	6,809
Newcomer	4,264	117	825	5,206	46	48	28	13	7	142	932	1,488	5	75	2,139	138	19	4,796	243	588	3	49	287	42	65	1,277	6,215
Ryan	4,578	681	806	6,065	91	232	79	75	.....	477	2,259	1,026	1	732	140	226	19	4,403	222	180	48	142	26	80	74	772	5,652
Uhlir	4,136	520	2,043	6,699	33	159	40	69	.....	301	1,429	792	13	633	315	398	13	3,595	137	351	5	202	22	371	375	1,463	5,359
Graham	4,916	493	727	6,136	133	152	97	33	.....	415	2,274	813	.....	539	253	478	13	4,370	196	51	2	148	27	62	75	561	5,346
Dolan	4,741	442	565	5,748	135	177	91	23	1	427	2,438	854	.....	871	143	107	19	4,432	169	66	7	116	18	19	46	441	5,300
Gemmill	3,612	761	630	5,003	242	311	45	43	.....	641	1,519	908	.....	1,051	86	83	8	3,655	171	35	5	175	11	33	109	539	4,835
Bowles	2,217	17	1,666	3,900	6	8	1	3	.....	18	1,065	1,406	1	157	185	58	29	2,901	350	1,364	6	45	19	22	14	1,820	4,739
Caverly	4,161	381	644	5,186	110	131	38	39	.....	318	2,063	764	.....	502	133	240	27	3,729	208	100	4	79	27	54	26	498	4,545
Stewart	3,250	621	475	4,346	214	245	91	45	.....	595	1,654	773	.....	714	44	88	6	3,279	160	32	23	153	7	43	45	463	4,337
Rafferty	3,486	420	461	4,387	199	145	47	21	.....	412	2,538	294	.....	410	129	146	5	3,522	192	24	.....	67	13	34	43	373	4,307
LaBuy	2,846	6	1,397	4,249	.....	3	.....	.....	.....	3	1,077	1,722	.....	4	42	13	.....	2,858	402	961	.....	5	.....	12	.....	1,380	4,241
J. Sullivan	3,172	232	316	3,720	52	55	54	18	.....	179	1,904	266	.....	559	86	81	3	2,899	110	11	1	67	11	35	10	245	3,323
Courtney	2,782	206	309	3,297	51	52	25	18	.....	146	1,458	491	.....	196	445	198	12	2,800	111	85	4	36	48	45	25	354	3,300
Wells	2,581	416	422	3,419	89	186	99	17	.....	391	1,026	846	.....	378	42	53	10	2,355	124	49	3	97	7	17	80	377	3,123
Wade	2,145	227	495	2,867	29	82	67	31	4	213	1,116	428	.....	301	94	252	27	2,218	154	171	.....	58	16	49	27	475	2,906
Torrison	2,195	226	880	3,301	93	29	17	21	.....	160	1,254	281	3	92	81	295	7	2,013	123	141	1	61	11	138	61	536	2,709
Scott	1,743	69	557	2,369	20	22	8	2	1	53	242	752	.....	27	683	18	13	1,735	86	344	2	17	40	9	12	510	2,298
Fake	.....	.....	.....	.....	2	.....	5	.....	.....	7	697	148	.....	147	210	65	113	1,380	60	21	9	87	54	29	54	314	1,701
Fisher	1,600	157	158	1,915	59	39	16	9	.....	123	875	178	.....	237	20	96	3	1,409	41	18	.....	34	3	13	14	123	1,655
Williams	1,370	181	214	1,765	25	58	37	20	.....	140	570	253	.....	203	17	11	1	1,055	47	17	1	58	6	14	27	170	1,365
D. Sullivan	1,000	87	183	1,270	22	38	12	8	2	82	371	325	.....	177	20	45	12	950	27	60	.....	33	9	13	18	160	1,192
Jarecki	712	14	163	889	4	3	8	2	.....	17	250	171	.....	46	221	13	16	717	38	78	1	6	1	6	9	139	873
Robinson	496	45	56	597	3	10	5	.....	.....	18	175	151	.....	72	36	5	1	440	7	8	.....	11	2	1	1	30	488
Hill	304	43	106	453	9	4	3	1	.....	17	124	107	1	49	81	8	.....	370	20	32	1	12	.....	3	5	73	460
Rooney	190	32	26	248	7	4	4	1	.....	16	61	81	.....	39	32	13	.....	226	4	10	1	8	1	1	3	28	270
Beitler	140	17	33	190	.....	13	15	3	.....	31	81	54	.....	50	1	6	.....	192	8	10	4	6	5	1	2	36	259
Martin	84	1	39	124	1	.....	6	1	.....	8	63	32	.....	19	36	9	.....	159	11	14	.....	8	1	2	3	39	206
Kearns	157	19	26	202	3	4	1	3	.....	11	81	39	.....	20	3	8	.....	151	2	1	1	1	.....	.....	4	9	171
Persons	51	.....	87	138	.....	.....	.....	.....	.....	.....	32	25	.....	5	9	3	.....	74	13	39	.....	4	1	2	.....	59	133
Prindiville	100	17	11	128	3	7	.....	1	.....	11	45	24	.....	9	19	10	.....	107	.....	.....	.....	.....	.....	.....	2	2	120
Turnbaugh	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	27	7	.....	4	6	9	6	59	7	3	1	.....	.....	8	2	21	80
Totals	103,868	10,238	23,469	137,575	2,736	3,735	1,282	845	75	8,673	48,887	30,338	41	12,181	7,190	4,654	824	104,115	5,038	7,373	192	2,891	840	2,067	2,059	21,260	134,048



NEW SUITS FILED AND DISPOSED OF BY JUDGES IN CRIMINAL BRANCHES IN 1915

JUDGES	NEW SUITS FILED				CASES DISPOSED OF																			
					FELONIES					QUASI-CRIMINAL								MISDEMEANOR							
	Quasi-Criminal	Felony	Misdemeanor	Total	Discharged	Held to C. C.	Nolle Pros.	Discharged Wt. Pros.	Total	Discharged	Fined	County Jail	House Correction	Non-Suit	Discharged Wt. Pros.	Probation	Total	Discharged	Fined	County Jail	House Correction	Nolle Pros.	Discharged Wt. Pros.	Probation	Total	Total Cases Disposed of
LaBuy	9,510	913	1,214	11,637	310	219	80	105	714	5,621	829	2	1,474	293	560	64	8,843	330	50	5	218	26	152	83	864	10,421
Prindiville	7,497	1,431	1,395	10,323	342	459	39	285	1,125	3,710	1,077	.....	1,908	282	251	8	7,236	268	69	19	394	17	192	124	1,083	9,444
Jarecki	4,531	7	4,334	8,872	1	1	1	1	4	2,633	1,599	.....	32	76	17	.....	4,357	1,170	3,103	.....	12	4	15	.....	4,304	8,665
Heap	8,352	459	635	9,446	70	131	43	115	359	2,750	3,472	.....	784	520	181	46	7,753	148	40	13	116	33	76	92	518	8,630
Wade	7,159	647	1,574	9,380	97	244	89	103	533	3,930	920	.....	1,057	50	617	49	6,623	528	447	.....	167	23	118	49	1,332	8,488
Sabath	4,025	61	4,590	8,676	12	24	1	15	52	2,722	834	25	70	140	120	9	3,920	1,234	1,760	2	262	4	588	154	4,004	7,976
Caverly	5,919	830	981	7,730	234	371	88	79	772	3,176	449	.....	1,301	142	304	49	5,421	270	21	2	205	38	95	71	702	6,895
Dolan	3,461	1,165	869	5,495	366	574	9	325	1,274	2,929	267	.....	277	77	109	118	3,777	340	24	2	285	6	77	290	1,024	6,075
Trude	4,856	625	812	6,293	103	397	44	78	622	1,680	625	.....	143	1,578	211	39	4,276	204	120	3	172	143	79	135	856	5,754
Flanagan	4,570	386	610	5,566	91	135	40	38	304	1,128	756	.....	417	1,396	266	26	3,989	177	136	3	106	114	52	35	623	4,916
Courtney	3,714	312	617	4,643	107	120	20	34	281	1,521	705	.....	300	861	162	43	3,592	167	135	6	73	149	59	44	633	4,506
D. W. Sullivan	4,398	398	595	5,391	104	108	24	38	274	1,777	652	.....	897	55	206	11	3,598	116	48	1	60	14	31	26	296	4,168
Goodnow	3,896	66	167	4,129	20	7	2	6	35	1,234	1,610	1	274	662	34	21	3,836	70	45	18	15	59	8	21	236	4,107
Fisher	2,593	368	1,106	4,067	103	93	52	33	281	1,505	318	5	518	42	222	78	2,488	127	241	1	209	13	229	97	917	3,686
Fry	3,153	284	431	3,868	111	76	.....	55	242	1,601	560	4	315	6	306	61	2,853	104	82	2	88	.....	86	27	389	3,484
Gray	2,095	.....	1,252	3,347	.....	.....	.....	.....	.....	805	1,146	.....	4	67	3	.....	2,025	274	1,017	.....	4	7	5	.....	1,307	3,332
Gemmill	1,814	307	429	2,550	88	149	31	22	290	1,241	457	.....	448	126	147	42	2,461	177	150	4	101	21	55	63	571	3,322
Moran	2,772	193	177	3,142	106	58	3	15	182	1,556	663	.....	313	91	48	28	2,699	89	19	1	17	1	13	14	154	3,035
Graham	791	98	130	1,019	21	20	8	16	65	1,144	513	.....	181	361	153	41	2,393	135	89	2	61	2	74	41	404	2,862
Martin	2,451	292	353	3,096	74	102	63	18	257	1,524	224	.....	266	73	143	4	2,234	116	12	.....	67	7	30	30	262	2,753
Robinson	2,205	94	252	2,551	28	50	2	8	88	995	802	2	192	29	22	6	2,048	74	34	2	59	6	16	8	199	2,335
Hopkins	1,401	94	1,034	2,529	14	34	7	11	66	726	308	7	114	27	191	13	1,386	104	285	5	112	3	241	106	856	2,308
J. J. Sullivan	1,589	286	315	2,190	86	104	50	39	279	929	211	.....	208	150	136	1	1,635	135	23	2	63	21	42	6	292	2,206
Uhlir	2,727	7	416	3,150	2	4	.....	1	7	847	565	.....	228	65	32	14	1,751	66	60	7	50	6	62	31	282	2,040
Rooney	2,002	184	277	2,463	25	76	22	27	150	1,012	178	.....	203	19	279	8	1,699	43	9	1	49	12	40	17	171	2,020
Mahoney	230	50	43	323	18	22	2	10	52	775	270	.....	174	142	146	4	1,511	81	33	3	88	32	56	3	296	1,859
Ryan	1,607	167	203	1,977	27	91	14	35	167	902	221	.....	201	22	158	5	1,509	54	33	.....	20	1	25	18	151	1,827
Night Court	1,041	53	44	1,138	6	6	2	3	17	524	98	.....	326	10	4	1	963	8	1	.....	5	1	.....	4	19	999
Hill	619	79	105	803	10	11	3	9	33	313	133	.....	126	193	70	1	836	19	17	1	17	7	6	7	74	943
Kearns	633	58	196	887	7	17	3	8	35	307	152	1	85	24	64	5	638	44	85	1	25	7	20	14	196	869
Wells	.....	.....	.....	.....	2	1	.....	1	4	272	99	.....	48	37	32	8	496	71	12	1	28	3	7	3	125	625
Olson	110	23	37	170	11	9	.....	.....	20	59	12	.....	5	1	2	28	107	9	.....	1	9	.....	3	7	29	156
Work	98	15	7	120	8	8	2	1	19	58	11	.....	20	.....	7	1	97	4	1	.....	4	.....	1	.....	10	126
Rafferty	40	.....	34	74	.....	.....	.....	.....	.....	36	3	.....	.....	.....	.....	.....	39	28	16	.....	.....	.....	.....	.....	44	83
Williams	33	4	9	46	.....	.....	.....	.....	.....	33	3	.....	5	1	3	.....	45	3	.....	.....	2	.....	3	3	11	56
Totals	101,892	9,956	25,243	137,091	2,604	3,721	744	1,534	8,603	51,775	20,742	47	12,914	7,618	5,206	832	99,134	6,787	8,217	108	3,163	780	2,556	1,623	23,234	130,971

RESUME OF WORK OF THE CIVIL AND CRIMINAL BRANCHES—COMPARISON.

Total number of all classes of cases filed and disposed of during 1915 as compared with previous years.

	1907		1908		1909		1910		1911		1912		1913		1914		1915	
	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of	Filed	Disp. of
Civil	37,104	30,877	49,002	46,845	47,113	48,490	48,267	48,649	53,223	50,931	55,642	56,239	58,864	58,032	66,957	65,983	66,529	69,337
Misdemeanor	15,079	13,755	10,187	10,467	10,057	10,130	9,559	9,825	12,012	11,770	15,822	15,888	20,291	19,520	23,469	21,260	25,243	23,234
Quasi-Criminal	45,535	44,472	56,698	56,742	62,019	61,781	70,703	70,479	72,189	71,434	80,979	83,119	92,476	93,711	103,868	104,115	101,892	99,134
Total	97,718	89,104	115,887	114,054	119,189	120,401	128,529	128,953	137,424	134,135	152,443	155,246	171,631	171,263	194,294	191,358	193,664	191,705
Felony	.....	.....	8,249	7,721	6,524	6,460	7,701	7,618	9,631	9,526	7,457	7,362	8,399	8,102	10,238	8,673	9,956	8,603
Totals	.....	.....	124,136	121,775	125,713	126,861	136,230	136,571	147,055	143,661	159,900	162,608	180,030	179,365	204,532	200,031	203,620	200,308

	1914		1915	
Number of cases of all classes pending at beginning of year	21,328		21,078	
Cases of all classes filed during year	204,532		204,104	
Civil suits reinstated	1,666	227,526	1,447	226,629
Misdemeanors, Quasi-criminal and Felony cases, defendant not apprehended	5,617		4,503	
Cases of all classes disposed of during year	200,031	205,648	200,308	204,811
Total number cases of all classes pending at end of year		21,878		21,818

BAILIFF'S OFFICE.

Writs Other Than Executions.

	Year 1914.			Year 1915.		
	1st Dist.	2d Dist.	Total.	1st Dist.	2d Dist.	Total.
Writs received	85,231	1,890	87,121	87,892	1,938	89,830
Defendants served	75,197	1,879	77,076	74,794	1,888	76,682
Defendants not served	12,521	98	12,619	17,229	90	17,319
Percentage of service	85.73	95.04	85.93	81.27	95.45	81.57
Mileage	739,153	16,532	755,685	773,154	15,830	788,984

Executions.

	Year 1914.			Year 1915.		
	1st Dist.	2d Dist.	Total.	1st Dist.	2d Dist.	Total.
Writs received	21,209	592	21,801	23,283	601	23,884
Defendants served	20,241	590	20,831	22,128	590	22,718
Defendants not served	1,640	11	1,651	2,002	11	2,013
Percentage of service	92.50	98.15	92.65	91.70	98.16	91.86
Mileage	199,860	4,602	204,462	219,702	4,860	224,562

Recapitulation.

	Year 1914.			Year 1915.		
	Writs.	Executions.	Total.	Writs.	Executions.	Total.
Writs received	87,121	21,801	108,922	89,830	23,884	113,714
Defendants served	77,076	20,831	97,907	76,682	22,718	99,400
Defendants not served	12,619	1,651	14,270	17,319	2,013	19,332
Percentage of service	85.93	92.65	87.27	81.57	91.86	83.71
Mileage	755,685	204,462	960,147	788,984	224,562	1,013,546

Classification of Writs Received Compared with Previous Years.

	1908.	1909.	1910.	1911.	1912.	1913.	1914.	1915.
Summons, General	31,335	29,101	30,776	33,299	34,283	37,150	40,425	40,084
Summons, Alias and Pluries	7,630	8,787	9,206	10,352	11,552	8,674	7,736	10,269
Summons, Poor Persons	468	396	420	713	358	270	329	482
Summons, City	4,909	4,491	3,790	4,230	10,171	7,454	9,061	9,317
Summons, People	812	1,134	225	746	736	823	1,876	1,825
Forcible Detainers	12,265	11,240	11,345	12,452	13,266	12,791	15,681	15,627
Forcible Detainers, Alias	910	743	1,791	2,090	2,468	1,689	1,823	2,321
Attachments	1,630	1,747	1,892	1,865	1,963	1,875	1,747	1,627
Replevins	863	900	819	952	1,080	1,260	1,535	1,552
Replevins, Alias and Pluries	66	58	44	48	47	122	214	151
Subpoenas	69	29	53	36	30	53	37	33
Citations	2,243	3,262	3,216	2,929	3,730	4,665	5,802	5,299
Citations, Alias and Pluries	549	830	1,295	1,364	1,337	751	775	1,092
Publication Notices, Attachment	474	485	536	540	606	549	424	405
Publication Notices, Distress	31	43	30	34	38	43	46	42
Publication Notices, Replevin	17	31	47	62	87	76	49	70
Publication Notices, For. Detainer	9	1	....	....	....	....	....	....
Executions, General	10,503	11,274	12,256	13,068	14,698	16,842	20,091	21,377
Executions, People	193	165	87	20	....	....	206	203
Executions, City	202	333	136	35	....	....	42	....
Restitutions	1,614	1,369	1,323	1,540	1,745	1,662	2,292	2,451
Total	76,794	76,419	79,287	86,375	98,125	98,813	110,251	114,227
Dead writs not delivered to deputies for service	608	429	1,140	1,436	2,357	1,895	1,329	513
Executions and other writs received	76,186	75,990	78,147	84,939	95,768	96,918	108,922	113,714
Defendants served	66,820	65,486	67,652	73,040	85,712	86,087	97,907	99,400
Defendants not served	13,714	13,808	14,077	14,843	13,816	15,681	14,270	19,332
Percentage of service	82.97	82.58	82.77	83.11	85.83	84.59	87.27	83.71
Mileage	640,455	651,776	695,580	737,401	802,766	812,364	960,147	1,013,546

JURORS.

During 1914, thirty and one-third per cent of the total number of petit jurors summoned into the various courts of Cook County were summoned by the Municipal Court.

An army of 36,675 men were asked to appear for petit jury service in all courts of Cook County in 1914, and 34,415 were called in 1915. The Municipal Court called upon 11,125 of these men in 1914, and 9210 in 1915, who were disposed of as follows:

	1914.	1915.
Accepted	5,411—.486	4,476—.485
Excused	3,202—.287	2,793—.303
Not found	1,376—.123	1,145—.124

The per diem and mileage paid these Municipal Court jurors amounted to $133,695.70 in 1914, and $99,634.30 in 1915.

The following is a table showing the disposition of all petit jurors drawn for service in all courts of record in Cook County:

	1914.				1915.			
	Drawn.	Accepted.	Excused.	Not Found.	Drawn.	Accepted.	Excused.	Not Found.
Municipal Court	11,125	5,411	3,202	1,376	9,210	4,476	2,793	1,145
Criminal Court	11,115	5,121	3,484	1,270	10,000	4,611	3,068	989
Superior Court	6,900	3,583	1,888	880	6,330	3,367	1,761	824
Circuit Court	6,200	2,860	2,019	891	6,900	3,368	2,280	876
County Court	1,035	580	292	119	1,650	784	569	234
Chicago Heights	300	110	136	46	300	131	129	34
Probate Court	.....	.....	.....	.....	25	14	9	1
Total	36,675	17,665	11,021	4,582	34,415	16,751	10,609	4,103

AUDITOR'S REPORT.

(W. B. Flersheim, Certified Public Accountant.)

1914.

Summary.

CASH ON HAND November 30, 1913:			
Clerk's Office		$ 86,829.53	
Bailiff's Office		13,872.31	
			$ 100,701.84
CASH RECEIPTS for the Period December 1, 1913, to December 5, 1914:			
City Funds:			
Clerk's Office	$567,316.20		
Bailiff's Office	115,600.28		
		$ 682,916.48	
Trust Funds:			
Clerk's Office	$316,014.61		
Bailiff's Office	93,208.23		
		409,222.84	
Total Cash Receipts			1,092,139.32
TOTAL TO BE ACCOUNTED FOR			$1,192,841.16
CASH DISBURSEMENTS for the Period December 1, 1913, to December 5, 1914:			
City Funds:			
Clerk's Office	$559,982.95		
Bailiff's Office	122,021.78		
		$ 682,004.73	
Trust Funds:			
Clerk's Office	$263,725.43		
Bailiff's Office	95,465.22		
		359,190.65	
Total Disbursements		$1,041,195.38	
CASH BALANCE ON HAND at End of Fiscal Year		151,645.78	
			1,192,841.16
As Follows:			
Clerk's Office	$146,451.96		
Bailiff's Office	5,193.82		
		$ 151,645.78	

1915.

Summary.

CASH ON HAND December 7, 1914:			
Clerk's Office		$ 146,451.96	
Bailiff's Office		5,193.82	
			$ 151,645.78
ADD—Cash Receipts for the Period December 7, 1914, to December 4, 1915:			
City Funds:			
Clerk's Office	$482,475.85		
Bailiff's Office	120,124.88		
		$ 602,600.73	

Trust Funds:			
Clerk's Office	$287,158.09		
Bailiff's Office	96,041.72		
		$ 383,199.81	
Total Cash Receipts			$ 985,800.54
TOTAL TO BE ACCOUNTED FOR			$1,137,446.32
CASH DISBURSEMENTS for the Period December 7, 1914, to December 4, 1915:			
City Funds:			
Clerk's Office	$484,946.15		
Bailiff's Office	120,475.51		
		$ 605,421.66	
Trust Funds:			
Clerk's Office	$372,766.66		
Bailiff's Office	95,582.83		
		468,349.49	
Total Disbursements		$1,073,771.15	
ADD: Cash Balance on Hand at End of Fiscal Year		63,675.17	
			$1,137,446.32
CASH BALANCE at End of Fiscal Year, Made Up as Follows:			
Clerk's Office	$ 58,373.09		
Bailiff's Office	5,302.08		
		$ 63,675.17	

RECEIPTS—CLERK AND BAILIFF.

Clerk's Office.

1914 Total.		Civil Division.	1915 Total.
$ 312,039.66		First District	$282,215.02
4,659.22		Second Division	3,554.50
$ 316,698.88		Total Civil Division	$285,769.52
		Criminal Division.	
$ 21,561.50	Branch 2	Harrison Street	
18,457.75	Branch 3	City Hall	$ 11,591.50
3,018.00	Branch 8	Boys' Court	4,938.00
6,939.50	Branch 10	Court of Domestic Relations	1,269.75
	Branch 19	City Hall	5,554.50
51,778.00	Branch 20	Morals Court	30,484.50
79,397.00	Branch 24	Motor Vehicle Court	83,000.25
	Branch 27	Harrison Street Court	20,258.25
10,025.50	Branch 28	Desplaines Street Court	6,261.00
6,729.00	Branch 29	East Chicago Avenue Court	5,816.00
10,676.01	Branch 30	West Chicago Avenue Court	7,816.50
18,892.50	Branch 31	Maxwell Street Court	9,683.00
6,281.00	Branch 32	Sheffield Avenue Court	6,402.00

$ 6,097.00	Branch 33	Shakespeare Avenue Court	$ 4,457.00
8,510.00	Branch 34	Thirty-fifth Street Court	3,488.00
5,845.50	Branch 35	Stock Yards Court	9,051.00
7,756.00	Branch 36	Englewood Court	5,480.25
8,102.75	Branch 37	Hyde Park Court	4,962.00
12,178.50	Branch 38	South Chicago Court	6,175.75
7,303.00	Branch 30	Criminal Court Building	2,245.25
221,101.83		Criminal Record Department	207,107.03
52,187.50		House of Correction	42,165.25
		Night Court	1,562.50
$ 562,837.84		Total Criminal Division	$479,769.28

Miscellaneous.

Interest on Bank Balances.

$ 1,052.30		National City Bank	$ 1,122.59
230.37		Continental & Commercial Nat'l Bank	838.55
		North Western Trust & Savings Bank	211.38
		Kaspar State Bank	1,715.12
2,511.42		Interest on Certificates of Deposit	.....
$ 3,794.09		Total Miscellaneous	$ 3,887.64
$ 883,330.81		TOTAL CASH RECEIPTS, CLERK'S OFFICE	$769,426.44

Bailiff's Office.

$ 206,388.34		First District	$203,935.00
2,420.17		Second District	2,341.99
$ 208,808.51		TOTAL CASH REC'PTS, BAILIFF'S OFFICE	$206,276.99

Summary.

$ 883,330.81	Total Cash Receipts, Clerk's Office	$769,426.44
208,808.51	Total Cash Receipts, Bailiff's Office	206,276.99
$1,092,139.32	TOTAL	$975,703.43

BAILIFF—STATEMENT OF CASH RECEIPTS.

CITY FUND.

First District.

1914 Total.		1915 Total.
$ 46,879.25	General Summons	$ 46,505.00
16,086.50	Forcible Detainer	16,242.75
6,842.45	Replevins and Attachments	6,882.10
24,922.95	General Executions	29,001.80
4,499.00	Restitutions	4,672.00
7,061.50	Citations	6,388.50
427.00	Publication Notices	439.00
57.00	Subpoenas	47.75
378.22	People's Summons	548.00
99.85	Deeds	37.00
14.65	Certificates of Redemption	4.10
5,741.22	Commissions	6,834.16
165.52	Interest on Bank Balance	156.98
5.00	Executions — State	19.75
.....	Back Fees	4.00
$113,180.11	Total Receipts—First District	$117,782.89

Second District.

$ 895.00	General Summons	$ 839.00
310.00	Forcible Detainer	271.00
257.15	Replevins and Attachments	210.50
534.15	General Executions	663.90
118.00	Restitutions	68.00
88.00	Citations	111.00
50.00	Publication Notices	38.00
167.87	Commissions	87.34
	People's Summons	31.00
	Subpoenas	3.00
	People's Executions	3.00
	Interest	12.25
	Deeds	4.00
$ 2,420.17	Total Receipts—Second District	$ 2,341.99
$115,600.28	TOTAL RECEIPTS—CITY FUND	$120,124.88

Trust Fund.

$ 92,202.23	Collections on Executions	$ 93,871.72
838.00	Advertising	1,264.00
168.00	Appraiser's Fees	906.00
$ 93,208.23	TOTAL RECEIPTS—TRUST FUND	$ 96,041.72
$208,808.51	TOTAL RECEIPTS—City and Trust Funds	$216,166.60

BAILIFF—STATEMENT OF DISBURSEMENTS.

City Fund.

1914 Total.		1915 Total.
$121,612.78	Paid to City	$119,617.45
	Recording Fees:	
252.60	Certificates of Levy	681.05
84.45	Certificates of Sale	136.15
14.30	Certificates of Redemption	7.95
	Certificates of Summons	1.75
	Refunds:	
20.00	Commissions	8.86
25.90	Executions	13.10
11.75	Summons	.....
	Attachments and Replevins	5.20
	Advertising	4.00
$122,021.78	Total Disbursements—City Fund	$120,475.51

Trust Fund.

$ 94,497.22	Collections on Executions	$ 93,854.83
818.00	Advertising	984.00
150.00	Appraiser's Fees	744.00
$ 95,465.22	Total Disbursements—Trust Fund	$ 95,582.83
$217,487.00	TOTAL	$216,058.34

EARNINGS AND NON-EARNINGS.

CITY FUND.

Earnings—Clerk's Office.

1914 Total.		1915 Total.
$171,217.00	New Suits	$167,065.00
21,137.00	Appearances	18,943.00
33,912.00	Jurors' Fees	29,286.00
21,304.25	Acknowledgments	20,178.25
105.10	Writs	146.20
716.10	Certified Copies	710.25
6,363.00	Transcripts	5,809.90
200,280.00	City Fines	159,626.00
105,149.00	Clerk's Costs	75,717.25
7,132.75	Bailiff's Costs	4,994.00
$567,316.20	Total Earnings—Clerk's Office	$482,475.85

Bailiff's Office.

$ 47,774.25	General Summons	$ 47,344.00
16,396.50	Forcible Detainer	16,513.75
7,099.60	Replevins and Attachments	7,092.60
25,457.10	General Executions	29,565.70
4,617.00	Restitutions	4,740.00
7,149.50	Citations	6,499.50
477.00	Publication Notices	477.00
57.00	Subpoenas	50.75
378.22	People's Summons	579.00
5.00	People's Executions	22.75
100.00	Deeds	41.00
165.52	Interest	169.23
5,909.09	Commissions.	6,921.50
14.50	Certificate of Release	4.10
	Back Fees	4.00
$115,600.28	Total Earnings—Bailiff's Office	$120,024.88
$682,916.48	TOTAL EARNINGS—CITY FUND	$602,500.73

TRUST FUND.

Earnings—Clerk's Office.

$ 27,990.51	Fines:	State	$ 19,227.50
12,356.00		South Park	9,097.50
8,419.00		West Park	15,433.00
2,344.50		Lincoln Park	2,419.50
45.00		North Shore District	62.00
15.00		Ridge Avenue District	.....
661.50	State's Attorney		525.00
1,282.67	Interest on Bank Balances		3,887.64
2,511.42	Interest on Certificates of Deposit		.....
$ 55,625.60	Total Earnings—Trust Fund		$ 50,652.14
$738,542.08	TOTAL EARNINGS		$653,152.87

Non-Earnings—Clerk's Office.

$ 57,259.49	Judgments	$ 36,185.62
4,602.99	Tenders	7,197.75
105.00	Bailiff's Fees	253.45
103,550.00	Cash Bonds	75,482.25
94,869.08	A. & B. Cases	117,179.78
2.45	Justice of the Peace Costs	.....
$260,389.01	Total Non-Earnings—Clerk's Office	$236,298.85

Bailiff's Office.

$ 92,202.23	Collections on Executions	$ 93,871.72
838.00	Advertising Fees	1,264,00
168.00	Appraiser's Fees	906.00
$ 93,208.23	Total Non-Earnings—Bailiff's Office	$ 96,041.72
$353,597.24	TOTAL NON-EARNINGS—TRUST FUND	$332,340.57

Summary.

$ 738,542.08	TOTAL EARNINGS	$653,152.87
353,597.24	TOTAL NON-EARNINGS	332,340.57
$1,092,139.32	TOTAL EARNINGS AND NON-EARN'GS	$985,493.44

BAILIFF'S OFFICE—SUMMARY OF RECEIPTS, DISBURSEMENTS AND BALANCES, 1914.

1914.

City Fund.

BALANCE November 30, 1913		$ 8,311.45	
RECEIPTS:			
First District	$113,180.11		
Second District	2,420.17		
TOTAL RECEIPTS		$115,600.28	
		$123,911.75	
TOTAL DISBURSEMENTS		122,021.78	
BALANCE IN CITY FUND December 5, 1914			$1,889.95

Trust Fund.

BALANCE November 30, 1913		$ 5,560.86	
TOTAL RECEIPTS December 1, 1913, to December 5, 1914		93,208.23	
		$ 98,769.09	
TOTAL DISBURSEMENTS		95,465.22	
BALANCE IN TRUST FUND December 5, 1914			3,303.87
TOTAL CASH BALANCE—BAILIFF'S OFFICE, November 5, 1914			$5,193.82

BAILIFF'S OFFICE—SUMMARY OF RECEIPTS, DISBURSEMENTS AND BALANCES, 1915.

1915.

City Fund.

BALANCE December 7, 1914		$ 1,889.95	
RECEIPTS:			
First District	$117,782.89		
Second District	2,341.99		
TOTAL RECEIPTS		120,124.88	
		$122,014.83	
TOTAL DISBURSEMENTS		120,475.51	
BALANCE IN CITY FUND December 4, 1915			$1,539.32

Trust Fund.

BALANCE December 7, 1914		$ 3,303.87	
TOTAL RECEIPTS		96,041.72	
		$ 99,345.59	
TOTAL DISBURSEMENTS		95,582.83	
BALANCE IN TRUST FUND December 4, 1915			$3,762.76
TOTAL CASH BALANCE—BAILIFF'S OFFICE, December 4, 1915			$5,302.08

RECEIPTS BY DISTRICTS AND BRANCH COURTS, 1915

CIVIL DIVISION	Total	New Suits	Appearances	Bailiff's Fees	Jury Fees	Acknowledgments	Writs	Certified Copies	Transcripts	Tenders	Judgments
1st District	$282,215.02	$164,278.00	$18,749.00	$ 253.45	$28,902.00	$20,014.75	$ 146.20	$ 683.75	$5,804.90	$7,197.75	$36,185.22
2nd District	3,554.50	2,787.00	194.00	.....	384.00	163.50	.....	21.00	5.00	.....	.....
Total Civil	$285,769.52	$167,065.00	$18,943.00	$ 253.45	$29,286.00	$20,178.25	$ 146.20	$ 704.75	$5,809.90	$7,197.75	$36,185.22

PARK BOARDS

CRIMINAL DIVISION	Total	State	South	West	Lincoln	North Shore	City	Clerk	Bailiff	State's Attorney	A. & B. Cases	Cash Bonds	Certified Copies
Branch:													
3 City Hall	$ 11,591.50	$ 3,553.00	.....	.....	.....	.....	$ 4,148.00	$ 2,946.50	$ 944.00	.....	.....	.....	.....
8 Boys Court	4,938.00	420.00	$ 187.00	$ 36.00	$ 5.00	.....	3,164.00	1,059.00	67.00	.....	.....	.....	.....
10 Ct.ofDomesticRelations.	1,269.75	303.00	.....	.....	.....	.....	278.00	358.00	130.75	$200.00	.....	.....	.....
19 City Hall	5,554.50	1,227.00	.....	.....	.....	.....	3,364.00	879.00	64.50	20.00	.....	.....	.....
20 Morals Court	30,484.50	686.00	.....	120.00	.....	.....	23,368.00	6,268.00	42.50	.....	.....	.....	.....
24 Motor Vehicle Court	83,000.25	265.00	7,495.00	14,830.00	2,161.00	60.00	31,339.00	26,405.75	444.50	.....	.....	.....	.....
27 Harrison Street Court	20,258.25	1,866.00	196.00	.....	.....	.....	12,692.00	5,197.00	215.75	90.00	.....	.....	$ 1.50
28 Desplaines Street Court.	6,261.00	275.00	.....	91.00	.....	.....	3,948.00	1,811.00	125.50	10.00	.....	.....	.50
29 E. Chicago Ave. Court	5,816.00	847.00	.....	.....	44.00	.....	3,632.00	1,206.00	86.50	.....	.....	.....	.50
30 W. Chicago Ave. Court	7,816.50	902.00	.....	.....	.....	.....	5,364.00	1,399.00	101.50	50.00	.....	.....	.....
31 Maxwell Street Court	9,683.00	1,179.00	.....	52.00	.....	.....	5,507.00	2,653.00	265.50	25.00	.....	.....	1.50
32 Sheffield Ave. Court	6,402.00	387.00	.....	.....	101.00	2.00	4,073.50	1,624.00	179.50	35.00	.....	.....	.....
33 Shakespeare Ave. Court.	4,457.00	323.00	.....	32.00	.....	.....	3,404.00	637.00	61.00	.....	.....	.....	.....
34 Thirty-fifth Street Court.	3,488.00	315.00	10.00	.....	.....	.....	1,774.00	1,297.00	82.00	10.00	.....	.....	.....
35 Stock Yards Court	9,051.00	1,327.00	15.00	.....	.....	.....	4,381.00	3,072.00	255.50	.....	.....	.....	.56
36 Englewood Court	5,480.25	343.00	.....	.....	.....	.....	3,316.00	1,678.00	142.75	.....	.....	.....	.50
37 Hyde Park Court	4,962.00	115.00	422.00	.....	.....	.....	2,799.00	1,491.00	125.00	10.00	.....	.....	.....
38 South Chicago Court	6,175.75	580.00	.....	.....	.....	.....	4,016.00	1,506.00	73.25	.....	.....	.....	.50
39 Criminal Court	2,245.25	350.00	.....	.....	5.00	.....	1,474.00	358.00	38.25	20.00	.....	.....	.....
Criminal Record Dept.	207,107.03	1,077.00	453.00	20.00	5.00	.....	10,235.50	2,157.00	417.50	80.00	$117,179.78	$75,482.25	.....
House of Correction	42,165.25	2,837.50	187.50	217.00	109.50	.....	26,368.00	11,329.00	1,116.75	.....	.....	.....	.....
Night Court	1,562.50	25.00	121.00	35.00	.....	.....	981.00	386.00	14.50	.....	.....	.....	.....
Total Criminal	$479,769.28	$19,202.50	$9,086.50	$15,433.00	$2,430.50	$62.00	$159,626.00	$75,717.25	$4,994.00	$550.00	$117,179.78	$75,482.25	$ 5.50

MISCELLANEOUS

Interest on Bank Balances:	
N. W. Trust & Savings Bank	$ 211.38
National City Bank	1,122.59
Continental & Commercial	838.55
Kasper State Bank	1,715.12
Total Miscellaneous	3,887.64
TOTAL	$769,426.44

RECEIPTS BY DISTRICTS AND BRANCH COURTS—1914

CIVIL DIVISION	Total	New Suits	Appearances	Jury Fees	Acknowledgments	Writs	Certified Copies	Transcripts	Tenders	Judgments	J. P. Costs	Bailiff's Fees
First District	$312,039.66	$168,108.00	$20,961.00	$33,456.00	$21,099.75	$105.10	$666.60	$6,322.00	$4,602.99	$56,610.77	$ 2.45	$ 105.00
Second District	4,659.22	3,109.00	176.00	456.00	204.50	.....	24.00	41.00	.....	648.72	.....	.....
Total Civil Division	$316,698.88	$171,217.00	$21,137.00	$33,912.00	$21,304.25	$105.10	$690.60	$6,363.00	$4,602.99	$57.259.49	$ 2.45	$ 105.00

PARK BOARDS

CRIMINAL DIVISION	Total	State	South	West	Lincoln	North Shore	Ridge Avenue	City	Clerk	Bailiff	State's Attorney	A. & B. Cases	Cash Bonds	Certified Copies	Jurors' Fees
Branch:															
8 Boys' Court	$ 3,018.00	$ 468.00	$ 10.00	.....	$ 5.00	.....	.....	$ 1,760.00	$ 745.00	$ 30.00	.....	.....	.....	.....	.....
27 Harrison Street	21,561.50	2,813.50	320.00	.....	.....	.....	.....	12,577.00	5,593.00	227.00	$ 20.00	.....	.....	$ 11.00	.....
28 Desplaines Street	10,025.50	791.00	.....	$ 165.00	.....	.....	.....	6,300.00	2,561.00	208.50	.....	.....	.....	.....	.....
31 Maxwell Street	18,892.50	2,508.00	.....	304.00	.....	.....	.....	9,521.00	6,029.00	514.50	15.00	.....	.....	1.00	.....
34 Thirty-fifth Street	8,510.00	1,205.00	37.00	.....	.....	.....	.....	5,244.00	1,827.00	142.50	51.50	.....	.....	3.00	.....
37 Hyde Park	8,102.75	651.00	215.00	.....	.....	.....	.....	4,613.50	2,436.00	186.75	.....	.....	.....	.50	.....
36 Englewood	7,756.00	613.00	137.00	.....	.....	.....	.....	4,974.00	1,880.00	152.00	.....	.....	.....	.....	.....
38 South Chicago	12,178.50	983.00	15.00	.....	.....	.....	.....	6,461.50	4,311.00	363.00	45.00	.....	.....	.....	.....
30 West Chicago Avenue	10,676.01	744.01	.....	15.00	.....	.....	.....	6,841.00	2,874.00	187.00	15.00	.....	.....	.....	.....
29 East Chicago Avenue	6,729.00	555.00	.....	.....	117.00	.....	.....	4,406.00	1,565.50	85.50	.....	.....	.....	.....	.....
32 Sheffield Avenue	6,281.00	236.00	.....	.....	48.00	$ 45.00	$ 5.00	4,147.00	1,669.00	131.00	.....	.....	.....	.....	.....
33 Shakespeare Avenue	6,097.00	439.00	.....	66.00	.....	.....	.....	3,977.00	1,493.00	120.50	.....	.....	.....	1.50	.....
39 Criminal Court	7,303.00	1,252.00	.....	5.00	30.00	.....	.....	4,424.00	1,386.00	141.00	65.00	.....	.....	.....	.....
3 Criminal Court	18,457.75	4,676.00	.....	.....	.....	.....	.....	5,428.00	6,739.75	1,598.00	10.00	.....	.....	.....	$ 6.00
10 Court of Domestic Relations	6,939.50	2,292.00	.....	.....	.....	.....	.....	2,397.00	1,529.00	511.50	210.00	.....	.....	.....	.....
24 Motor Vehicle Court	79,397.00	35.00	11,160.00	7,758.00	1,859.00	.....	10.00	22,450.00	35,955.50	169.50	.....	.....	.....	.....	.....
20 Morals Court	51,778.00	752.00	13.00	13.00	.....	.....	.....	42,480.00	8,442.00	75.50	.....	.....	.....	2.50	.....
35 Stock Yards	5,845.50	984.00	8.00	.....	.....	.....	.....	3,536.00	1,190.00	97.50	30.00	.....	.....	.....	.....
Criminal Record Department	221,101.83	1,487.50	55.00	35.00	35.00	.....	.....	15,788.50	4,191.75	890.00	200.00	$ 94,869.08	$103,550.00	.....	.....
House of Correction	52,187.50	4,505.50	386.00	58.00	250.50	.....	.....	32,954.50	12,731.50	1,301.50	.....	.....	.....	.....	.....
Total Criminal Division	$562,837.84	$ 27,990.51	$ 12,356.00	$ 8,419.00	$ 2,344.50	$ 45.00	$ 15.00	$200,280.00	$105,149.00	$ 7,132.75	$ 661.50	$ 94,869.08	$103,550.00	$ 19.50	$ 6.00

MISCELLANEOUS

Interest on Bank Balances:	
National City Bank	$ 1,052.30
Continental & Commercial Nat. Bank	230.37
Certificates of Deposit—Kaspar State Bank	2,511.42
Total Miscellaneous	$ 3,794.09
Total	$883,330.81

SUMMARY OF RECEIPTS, DISBURSEMENTS AND BALANCES.

1914						1915			
Balance November 30, 1913	Receipts	Total To Be Accounted For	Disbursements	Balance December 5, 1914	**CITY FUND**	Receipts	Total To Be Accounted For	Disbursements	Balance December 4, 1915
.....	$171,217.00	$171,217.00	$168,426.00	$ 2,791.00	New suits	$167,065.00	$169,856.00	$167,904.00	$ 1,952.00
.....	21,137.00	21,137.00	20,913.00	224.00	Appearances	18,943.00	19,167.00	18,957.00	210.00
.....	33,918.00	33,918.00	33,474.00	444.00	Jury Fees	29,286.00	29,730.00	29,430.00	300.00
.....	21,304.25	21,304.25	21,050.75	253.50	Acknowledgments	20,178.25	20,431.75	20,181.00	250.75
.....	105.10	105.10	105.10	.....	Writs	146.20	146.20	143.75	2.45
.....	710.10	710.10	697.10	13.00	Certified copies	710.25	723.25	716.25	7.00
.....	6,363.00	6,363.00	6,292.50	70.50	Transcripts	5,809.90	5,880.40	5,819.40	61.00
.....	200,280.00	200,280.00	198,058.50	2,221.50	City fines	159,626.00	161,847.50	160,336.50	1,511.00
.....	105,149.00	105,149.00	103,913.00	1,236.00	Clerk's costs	75,717.25	76,953.25	76,417.25	536.00
.....	7,132.75	7,132.75	7,048.00	84.75	Bailiff's costs	4,994.00	5,078.75	5,046.00	32.75
.....	.....	.....	5.00	**5.00**	Refund on over-payment, 2nd district	.....	**5.00**	**5.00**	.....
.....	$567,316.20	$567,316.20	$559,982.95	$ 7,333.25	Total city fund	$482,475.85	$489,809.10	$484,946.15	$ 4,862.95
					TRUST FUND				
					Fines:				
$33,580.50	$ 27,990.51	$ 61,571.01	$ 31.50	$61,539.51	State	$ 19,435.00	$ 80,974.51	$ 58,154.51	$22,820.00
16,161.50	12,356.00	28,517.50	.....	28,517.50	South Park	19,097.50	37,615.00	37,364.00	251.00
7,314.00	8,419.00	15,733.00	.....	15,733.00	West Park	5,433.00	31,166.00	31,104.00	62.00
3,498.50	2,344.50	5,843.00	.....	5,843.00	Lincoln Park	2,419.50	8,262.50	8,252.50	10.00
38.00	45.00	83.00	.....	83.00	North Shore District	62.00	145.00	.....	145.00
.....	15.00	15.00	.....	15.00	Ridge Avenue District	.....	15.00	.....	15.00
96.50	661.50	758.00	758.00	.....	State's Attorney	525.00	525.00	525.00	.....
1,520.00	94,869.08	96,389.08	94,179.40	2,209.68	A. & B. cases	117,179.78	119,389.46	116,717.46	2,672.00
4,814.40	103,550.00	108,364.40	101,518.25	6,846.15	Cash bonds	75,482.25	82,328.40	72,510.50	9,817.90
13,744.44	57,259.49	71,003.93	62,746.91	8,257.02	Judgments	36,185.22	44,442.24	39,386.34	5,055.90
3,234.53	4,602.99	7,837.52	4,383.92	3,453.60	Tenders	7,197.75	10,651.35	5,421.07	5,230.28
1,167.84	1,282.67	2,450.51	.....	2,450.51	Interest on bank balances	3,887.64	9,524.89	3,077.83	6,447.06
675.32	2,511.42	3,186.74	.....	3,186.74	Interest on certificates of deposit	.....	.....	.....	984.00
984.00	.....	984.00	.....	984.00	State's attorney refund fee, acc. 1909	.....	984.00	.....	.....
.....	105.00	105.00	105.00	.....	Bailiff's fees. P. P. case	253.45	253.45	253.45	.....
.....	2.45	2.45	2.45	.....	Justice of the peace costs	.....	.....	.....	.....
$86,829.53	$316,014.61	$402,844.14	$263,725.43	$139,118.71	Total trust fund	$287,158.09	$426,276.80	$372,766.66	$53,510.14
$86,829.53	$883,330.81	$970,160.34	$823,708.38	$146,451.96	Total	$769,633.94	$916,085.90	$857,712.81	$58,373.09

CITY APPROPRIATIONS AND EXPENDITURES
1914.

	APPROPRIATIONS			BALANCES			
	Balance in 1913 Appropriation Nov. 30, 1913	1914 Appropriation	Total Appropriations	Expended Nov. 30, 1913 to Dec. 5, 1914	1913 Appropriation Unexpended Reverted to City Dec. 31, 1913	Total Disposed of	Balance 1914 Appropriation Unexpended Dec. 5, 1914
JUDGES							
Salaries	$18,129.96	$204,100.00	$222,229.96	$198,293.52	$1,171.64	$199,465.16	$22,764.80
Probation officers' salaries	2,891.68	22,900.00	25,791.68	21,372.19	1,516.68	22,888.87	2,902.81
General supplies	150.00	150.00	300.00	.....	150.00	150.00	150.00
Repairs and replacements (for materials)	50.00	50.00	100.00	.....	50.00	50.00	50.00
Repairs and replacements (contract or open order)	166.00	200.00	366.00	31.80	166.00	197.80	168.20
Furniture, fittings and library	964.30	600.00	1,564.30	840.70	647.80	1,488.50	75.80
Printing, stationery and office supplies	1,460.50	1,950.00	3,410.50	2,107.74	1,109.79	3,217.53	192.97
Street car transportation	470.00	1,200.00	1,670.00	530.00	470.00	1,000.00	670.00
Services, benefits and claims	2,504.20	7,200.00	9,704.20	7,107.25	1,754.20	8,861.45	842.75
Psychopathic laboratory—installation and maintenance	.....	8,000.00	8,000.00	5,691.36	.....	5,691.36	2,308.64
Attorney fees—T. M. Hunter, bailiff	.....	3,000.00	3,000.00	3,000.00	.....	3,000.00	.....
Total judges	$26,786.64	$249,350.00	$276,136.64	$238,974.56	$7,036.11	$246,010.67	$30,125.97
CLERK							
Salaries	$22,325.70	$249,420.00	$271,745.70	$243,952.93	$2,632.82	$246,585.75	$25,159.95
Extra clerks' salaries	2,658.53	.....	2,658.53	391.12	2,267.41	2,658.53	.....
Furniture, fittings and library	1,784.00	2,500.00	4,284.00	209.85	1,783.05	1,992.90	2,291.10
Printing, stationery and office supplies	**39.60**	13,000.00	12,960.40	13,959.72	**214.32**	13,745.40	**785.00**
Street car transportation	112.85	400.00	512.85	174.90	89.00	263.90	248.95
Expense of jurors	**349.87**	1,000.00	650.13	323.30	**411.37**	**68.07**	738.20
Jurors' and witnesses' fees	16,203.40	165,000.00	181,203.40	133,695.70	1,112.95	134,808.65	46,394.75
Services, benefits, claims and refunds	.....	.....	.....	280.02	.....	280.02	**280.02**
Emergency clerical service	.....	5,000.00	5,000.00	758.75	.....	758.75	4,241.25
Salary deficiencies	.....	610.00	610.00	103.00	.....	103.00	507.00
Total clerk	$42,695.01	$436,930.00	$479,625.01	$393,849.29	$7,259.54	$401,108.83	$78,516.18
BAILIFF							
Salaries	$14,542.09	$210,160.00	$224,702.09	$208,047.03	**$1,951.22**	$206,095.81	$18,606.28
Salary deficiencies	3,531.69	.....	3,531.69	.....	3,531.69	3,531.69	.....
Supplies—general	12.92	1,000.00	1,012.92	891.46	**96.33**	795.13	217.79
Furniture and fittings	30.99	1,200.00	1,230.99	1,432.37	**86.29**	1,346.08	**115.09**
Printing, stationery and office supplies	**629.67**	2,400.00	1,770.33	1,863.60	**1,071.97**	791.63	978.70
Street car transportation	1,490.00	5,200.00	6,690.00	4,542.35	685.10	5,227.45	1,462.55
Operations not in above accounts	1,168.41	4,150.00	5,318.41	3,561.42	710.21	4,271.63	1,046.78
Emergency salary fund	8,156.15	.....	8,156.15	1,092.41	7,063.74	8,156.15	.....
Extra clerk hire	.....	7,000.00	7,000.00	1,404.99	.....	1,404.99	5,595.01
Total bailiff	$28,302.58	$231,110.00	$259,412.58	$222,835.63	$8,784.93	$231,620.56	$27,792.02
TOTAL	$97,784.23	$917,390.00	$1,015,174.23	$855,659.48	$23,080.58	$878,740.06	$136,434.17

(Figures in bold type above show deficits.)

CITY APPROPRIATIONS AND EXPENDITURES
1914

	APPROPRIATIONS			
	Balance in 1913 Appropriation Nov. 30, 1913	1914 Appropriation	Total Appropriations	Expenditures Nov. 1, 1913 to Dec. [illegible]
JUDGES				
[illegible]	$18,129.06	$204,100.00	$222,229.06	$198,20[illegible]
[illegible] officers' salaries	2,891.05	22,900.00	25,791.05	21,37[illegible]
[illegible] supplies	400.00	150.00	[illegible]	[illegible]
[illegible] replacements (for materials)	50.00	50.00	[illegible]	[illegible]
[illegible] replacements (contract or open order)	166.00	200.00	366.00	[illegible]
[illegible] fittings and library	964.30	600.00	1,564.30	[illegible]
[illegible] stationery and office supplies	1,160.50	1,950.00	3,110.50	2,10[illegible]
[illegible] transportation	470.00	1,200.00	1,670.00	[illegible]
[illegible] benefits and claims	2,504.20	7,200.00	9,704.20	7,10[illegible]
[illegible] laboratory—installation and maintenance	[illegible]	5,000.00	5,000.00	[illegible]
[illegible] fees—T. M. Hunter, bailiff		3,000.00	3,000.00	3,00[illegible]
Total judges	$26,780.41	$249,850.00	$276,130.41	$235,97[illegible]
CLERK				
[illegible]	$22,325.70	$249,420.00	$271,745.70	$243,9[illegible]
[illegible] clerks' salaries	2,658.53		2,658.53	[illegible]
[illegible] fittings and library	1,784.10	2,500.00	4,284.10	[illegible]
[illegible] stationery and office supplies	99.60	13,000.00	[illegible]	13,[illegible]
[illegible] transportation	112.85	400.00	512.85	[illegible]
[illegible] of jurors	349.37	1,000.00	[illegible]	[illegible]
[illegible] and witnesses' fees	16,203.40	165,000.00	181,203.40	133,69[illegible]
[illegible] benefits, claims and refunds	[illegible]		[illegible]	[illegible]
[illegible] temporary clerical service	[illegible]	5,000.00	5,000.00	[illegible]
[illegible] deficiencies	[illegible]	610.00	610.00	[illegible]
Total clerk	$42,685.01	$436,930.00	$479,625.01	$393,[illegible]
BAILIFF				
[illegible]	$14,542.09	$210,160.00	$224,702.09	$208,4[illegible]
[illegible] deficiencies	3,531.69		3,531.69	[illegible]
[illegible] general	12.92	1,000.00	1,012.92	[illegible]
[illegible] and fittings	30.09	1,200.00	1,230.09	1,45[illegible]
[illegible] stationery and office supplies	839.67	2,400.00	[illegible]	1,56[illegible]
[illegible] transportation	1,490.00	5,200.00	6,690.00	4,5[illegible]
[illegible] not in above accounts	1,168.41	4,150.00	5,318.41	3,36[illegible]
[illegible] salary fund	8,158.15		8,158.15	1,09[illegible]
[illegible] hire	[illegible]	7,000.00	7,000.00	1,40[illegible]
Total bailiff	$28,302.58	$239,110.00	$259,412.58	$222,3[illegible]
TOTAL	$97,784.20	$912,390.00	$1,015,474.20	$855,[illegible]

(Figures in bold type above show deficits.)

CITY APPROPRIATIONS AND EXPENDITURES

1915.

	APPROPRIATIONS				BALANCES		
	Balance in 1914 Appropriation Dec. 7, 1914	1915 Appropriation	Total Appropriations	Expended Dec. 7, 1914 to Dec. 4, 1915	1914 Appropriation Unexpended Reverted to City	Total Disposed of	Balance in Appropria- Unexpended Dec. 4, 1915
JUDGES							
Salaries	$22,764.80	$204,100.00	$226,864.80	$213,422.21	**$9,499.63**	$203,922.58	$22,942.22
General supplies	150.00	45.00	195.00	37.20	**148.10**	185.30	9.70
Repairs and replacements (for materials)	50.00	40.00	90.00	266.50	**215.50**	51.00	39.00
Repairs and replacements (contract or open order)	168.20	90.00	258.20	1.35	166.85	168.20	90.00
Furniture, fittings and library	75.80	1,300.00	1,375.80	230.65	68.60	299.25	1,076.55
Printing, stationery and office supplies	192.97	1,800.00	1,992.97	1,231.04	**171.34**	1,402.38	590.59
Street car transportation	670.00	500.00	1,170.00	498.20	670.00	1,168.20	1.80
Services, benefits and claims	842.75	6,300.00	7,142.75	6,526.32	603.61	7,129.93	12.82
Psychopathic laboratory—salaries	.....	9,400.00	9,400.00	7,876.64	.....	7,876.64	1,523.36
Probation officers' salaries	2,902.81	.....	2,902.81	3,653.08	**750.27**	2,902.81	.....
Probation officers' salaries	.....	24,000.00	24,000.00	20,620.89	.....	20,620.89	3,379.11
Psychopathic laboratory—apparatus, machinery vehicles	.....	675.00	675.00	78.47	.....	78.47	596.53
Psychopathic laboratory—furniture and fittings	.....	225.00	225.00	175.28	.....	175.28	49.72
Impersonal services and benefits	.....	900.00	900.00	77.16	.....	77.16	822.84
Psychopathic laboratory—installation and maintenance	2,308.64	.....	2,308.64	1,219.16	1,089.48	2,308.64	.....
Total judges	$30,125.97	$249,375.00	$279,500.97	$255,914.15	**$7,547.42**	$248,366.73	$31,134.24
CLERKS							
Salaries	$25,159.95	$255,966.72	$281,126.67	$251,384.41	$4,676.51	$256,060.92	$25,065.75
Furniture and fittings	2,291.10	180.00	2,471.10	650.60	2,270.92	2,921.52	**450.42**
Printing and stationery	**785.00**	13,500.00	12,715.00	12,445.82	**1,564.96**	10,880.86	1,834.14
Street car transportation	248.95	250.00	498.95	274.60	180.05	454.65	44.30
Services, benefits, claims and refunds	458.18	.....	458.18	105.30	352.88	458.18	.....
Expense of jurors	46,394.75	.....	46,394.75	190.59	46,204.16	46,394.75	.....
Jurors' and witnesses' fees	.....	134,253.28	134,253.28	99,634.30	**11,275.60**	88,358.70	45,894.58
Impersonal services and benefits	.....	1,200.00	1,200.00	1,108.40	**303.84**	804.56	395.44
Emergency clerical service	4,241.25	.....	4,241.25	.....	4,241.25	4,241.25	.....
Salary deficiencies	507.00	.....	507.00	.....	507.00	507.00	.....
Total Clerk	$78,516.18	$405,350.00	$483,866.18	$365,794.02	$45,288.37	$411,082.39	$73,783.79
BAILIFFS							
Salaries	$18,606.28	$222,640.00	$241,246.28	$221,429.00	$1,135.74	.....	$18,681.54
Supplies	217.79	175.00	392.79	164.77	138.39	$ 303.16	89.63
Furniture and fittings	**115.09**	325.00	209.91	315.19	**147.25**	167.94	41.97
Printing, stationery and office supplies	978.70	2,000.00	2,978.70	2,059.73	574.20	2,633.93	344.77
Street car transportation	1,462.55	5,625.00	7,087.55	5,875.34	137.55	6,012.89	1,074.66
Operations not in above accounts	1,046.78	.....	1,046.78	569.16	477.62	1,046.78	.....
Impersonal service and benefits	.....	4,350.00	4,350.00	3,941.09	.....	3,941.09	408.91
Extra clerk hire	5,595.01	.....	5,595.01	955.17	4,639.84	5,595.01	.....
Personal service—outside help	.....	400.00	400.00	.....	.....	.....	400.00
Total bailiff	$27,792.02	$235,515.00	$263,307.02	$235,309.45	$6,956.09	$242,265.54	$21,041.48
TOTAL	$136,434.17	$890,240.00	$1,026,674.17	$857,017.62	$44,697.99	$901,714.66	$124,959.51

(Figures in bold type above show deficits.)